

**BIPIN
DHARMENDER
PRITHIANI**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3517 OF 2022

Shatrughan s/o Baburao Mandale	...	Petitioner
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Akshay Shah for the Petitioner.
Mrs. M. M. Deshmukh, APP for the Respondent-State.
ACP Mr. Suhas G. Deshmukh, ACB, Mumbai.

**CORAM: NITIN W. SAMBRE AND
R. N. LADDHA, JJ.**

DATE : 3rd MARCH, 2023

P.C. :-

. The petitioner, has lodged a complaint against the public servant resulting into successful laying trap way back in 2016. It is the case of the petitioner that on 10th February, 2017, the respondent no.2 submitted a proposal for grant of sanction which was not decided intentionally by respondent no.1, which act is purely with an intention to support the public servant.

2. This Court having called the response of the respondent-State Government, in its affidavit it has noticed that the file which passed through various stages took certain time for deciding the issue of sanction. The affidavit of the Addl. Chief Secretary (Home) to that effect, is placed on record.

3. Today, during the course of hearing, learned APP has placed on record the order dated 2nd March, 2023 issued by the Home Department granting sanction to prosecute the public servant.

4. In response to the Court's query, the learned APP, on instructions from the Investigating Officer who is present in the Court, assures that the entire investigation in the matter shall be completed and the charge-sheet shall be submitted to the competent Court, in any case, by 17th April, 2023. Since, the statement is made on instructions, same is accepted as an undertaking.

5. In view of the fact that the trap was successful in the year 2016 and the process of grant of sanction is delayed by almost five years, which has laid to further delay in deciding the trial, we direct the Special Court to decide the trial in the case in hand expeditiously. We also request the Special Court that, in case, if the petitioner moves an application for assisting prosecution, same be considered favourably.

6. With above observations, the petition stands disposed of.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]