



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4490 OF 2022

Ganesh Shrinivas Pitale And Anr.

... Petitioners

V/s.

State Of Maharashtra And Anr.

... Respondents

Mr. Mohan Rao i/b Ms. Sulabha Rane for Petitioners.

Mr. S. S. Hulke, APP for Respondent-State.

CORAM : A.S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.

DATE : 27th SEPTEMBER, 2023.

PC. :

1. Record indicates that, after completing the investigation of present crime, police have submitted charge-sheet in the year 2008 before the learned Metropolitan Magistrate, 37th Court, Esplanade, Mumbai and the same is numbered as C.C. No. 383/PW/2008. Learned Advocate for Petitioners submitted that, till date the trial Court has not framed charge in the said case.

2. Without expressing anything on the delay in conducting the trial of the said case, we direct the learned Metropolitan Magistrate, 37th Court, Esplanade, Mumbai, to conclude the trial of the present case within a period of nine months from the date of receipt of present Order, without seeking extension in that behalf.

The learned Judge of the trial Court is at liberty to follow the provisions of Cr.P.C. strictly, if co-accused or witnesses in the case are not co-operating in conducting the trial expeditiously.

3. Above noted directions are issued in view of the fact that, the trial of a case of the year 2008 is not concluded in last 15 years.

4. Petition is disposed off in aforesaid terms.

5. All contentions of both parties are kept open to be raised before the trial Court during the trial.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)