

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

CRIMINAL BAIL APPLICATION NO.2968 OF 2023

Shweta Nirpat Sharma & Anr

...Applicants

Versus

The State of Maharashtra & Anr

...Respondents

Mr. Viral Rathod, i/bh Vishwatej Jadhav, Advocate for Applicants.
Mr. Y.Y. Dabke, APP for State/Respondents.

**CORAM : SARANG V. KOTWAL, J.
DATE : 18th OCTOBER 2023**

PC :

1. This is the forth time both the Applicants are approaching this Court for their release on bail. On the first occasion i.e., on 14th January 2022 this Court vide a reasoned order passed in Criminal Bail Application No.2262/2021 and Criminal Bail Application No.2264/2021 had rejected their bail Applications. On the next occasion i.e., on 16th January 2023 the Application made by the Applicants was allowed to be withdrawn and the trial Court was requested to conclude the trial within nine months from 16th January 2023. The trial is not yet concluded.

2. Learned APP submitted that the trial is prolonged

because the Applicants had made an Application for deleting the charges under the Protection of Children from Sexual Offences Act, 2012 and they are causing delay in the trial.

3. Learned Counsel for the Applicants disputed this submission. However, he does not press this Bail Application and he seeks permission to withdraw this Bail Application. The Applicants are in custody since 5th February 2021. I have perused the earlier orders as well as the charge-sheet. The offence is quite serious. However, the trial also needs to progress fast, therefore, though the Application is allowed to be withdrawn; the trial Court is directed to start the trial immediately and conclude it as early as possible. Neither of the parties i.e., the Applicants as well as the prosecution shall cause unnecessary delay in conduct of the trial. The trial shall be fixed as far as possible on a day to day basis.

4. With these observations, the Application is allowed to be withdrawn and is disposed of as such.

(SARANG V. KOTWAL, J.)