

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (BA) NO. 167 OF 2023**

Shankar Ganpatrao Dhoke

.Vs.

State of Maharashtra through PSO, PS Katol, Dist. Nagpur

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions      Court's or Judge's orders.  
and Registrar's Orders.

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Shri C.D. Thamkre, Advocate for the applicant.

Shri Amit R. Chutke, APP for the State.

**CORAM: G.A. SANAP, J.**

**DATE : 28/04/2023**

After hearing the matter for sometime, learned Advocate for the applicant seeks liberty to withdraw the application.

2. The application stands disposed of as withdrawn.

3. Report of the learned Judge was called to know the progress made in the trial. On perusal of the report, it is seen that all concerned with the progress of the trial included in the Court have not displayed the required promptness. It appears that the Court has been liberal with the Police, when it was found that the police did not produce the property of the crime and serve the summons

to the witnesses. The Court was also unreasonably liberal with the Jail Superintendent for his failure to produce the accused. Learned Judge could have taken a strict action against all concerned.

4. The accused has made a grievance that his trial has not been disposed of expeditiously. Report of the learned Judge shows that trial was not conducted expeditiously and that too by keeping in mind the mandate of Section 309 of Cr.P.C.

5. In the facts and circumstances, the learned Judge is directed to conduct the trial by keeping in mind the provisions of Section 309 of Cr.P.C. and complete it on or before 30.05.2023. All concerned shall cooperate the learned Judge in disposal of the trial. If there is lapse on the part of Police, Prosecutor or Advocate in extending the cooperation then that shall be recorded in the Roznama. Learned Judge shall take appropriate action against the concerned in terms of the law.

(G. A. SANAP, J.)

