

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

CRIMINAL APPEAL NO.153 OF 2023

Prashant Chankradhar Sonar Vs. State of Maharashtra

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

Court's or Judge's orders.

Shri S.V. Sirpurkar, Advocate for appellant.
Shri I.J. Damle, APP for respondent no.1/State.
Ms Falguni Badani, Advocate appointed for respondent no.2.

CORAM : ANIL L. PANSARE, J.
DATE : APRIL 24, 2023.

On 21.04.2023, the following order was passed:

“Having heard the learned counsel for the appellant for quite some time, when this Court was disinclined to grant the relief, he seeks time to take instructions from his client, as regard withdrawal of the instant appeal.

Stand over to 24.04.2023.”

2. Learned counsel for the appellant seeks permission to withdraw the appeal. He, however, makes a request to direct the trial Court to expedite the trial.

3. The first request of withdrawal of appeal is granted. So far as second request is concerned, the Special Judge himself while rejecting the application has observed in paragraph 7 of the order that the State is ready to expedite the trial on day to day basis. If that be so the appellant is at

liberty to make such request before the Special judge who shall consider the same favourably in view of the fact that maximum punishment for the offence alleged is five years.

4. With above observations the appeal is dismissed as withdrawn. The appellant is at liberty to apply afresh once victim is examined as prosecution witness.

5. At this stage, learned counsel for the applicant submits that liberty may be granted to move before trial court for seeking bail on medical ground. That liberty is always available with the appellant being based on different consideration, which if filed shall be considered by the learned trial court on its own merits.

6. The appeal is disposed of in above terms.

7. Professional fees of the learned appointed counsel the respondent no.2 be quantified and paid according to rules.

(Anil L. Pansare, J.)

Wagh