

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1409/2022

Nished s/o Mahadeorao Wasnik .vs. State of Maharashtra through its POS P.S.
Yashodhara Nagar, Nagpur.

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

Court's or Judge's orders

Mr. D. V. Chavan, Advocate for applicant.
Mr. N. R. Rode, A.P.P. for non applicant-State.

CORAM : ANIL L. PANSARE, J.
DATE : FEBRUARY 28, 2023.

After having heard the application at length, when this Court was not inclined to grant relief, the learned counsel for the applicant, on instructions from the wife of the applicant, seeks permission to withdraw the application with liberty to approach this Court after six months, if the trial is not commenced.

2. To my mind, liberty to withdraw the application can be granted. However, I am not inclined to expedite the trial nor am I inclined to grant liberty to approach this Court afresh after six months. The purpose will be served if the application is allowed to be withdrawn in following terms.

ORDER

(i) The application is allowed to be withdrawn with liberty to the applicant to approach the trial Court afresh once material witnesses are examined in the trial.

(ii) The list of ten material witnesses shall be furnished to the trial Court by the prosecution immediately after framing the

charges and those witnesses shall be examined as expeditiously as possible.

(iii) The applicant is at liberty to make request to the trial Court for expeditious disposal of the trial. If the request is so made, it shall be considered by the trial Court, considering its docket.

(iv) The copy of the order shall be placed before the learned trial Court, who shall take note of the aforesaid facts and shall note the same in the roznama.

(Anil L. Pansare, J.)

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