



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 BAIL APPLICATION NO. 102 OF 2024

Nagesh Chhagan Ware
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Salunke Sudarshan J
APP for Respondents: Mrs. Pratibha J. Bharad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 22nd MARCH, 2024.

PER COURT :-

1. Heard both sides. When this court expressed disinclination to allow this application, learned advocate for the applicant, on instructions, seeks leave to withdraw this application.

2. Leave granted. Application is disposed of as withdrawn.

3. Learned advocate for the applicant submitted that the trial in this case may be expedited.

4 The speedy trial is right of the accused. Therefore, the prayer of the applicant for expeditious trial deserves to be allowed with the following directions:-

- I) The Trial Court is directed to conduct the trial as expeditiously as possible and in any case within six months

from today. Needless to mention that it is a sessions trial and word “sessions” means once it is started it shall not be stopped till it is concluded.

- II) The Trial Court is further directed not to grant adjournments if it is prayed on behalf of either the prosecution or the defence unless there is extreme urgency or reasonable ground. If the accused are not produced, the Trial Court may call the jail authority and escort party and warn them by passing an order accordingly, by giving one opportunity to them to produce the accused, under trial prisoners continuously. If it is not followed then the Trial Court may proceed against these authorities for not following the order of the legal authority of public servant as per the (applicable) provisions of Chapter X of the Indian Penal Code. If any accused involved in the said trial is on bail and is not appearing for trial, then the Trial Court may proceed to cancel his/their bail. If the accused, advocates for accused or the public prosecutor are not cooperating the Court for conducting the trial as expeditiously as possible, the Trial Court may impose heavy costs on the concerned accused.
- III) The Trial Court is expected to conduct the trial on day to day basis or in any case at least twice or thrice in a week.

IV) If the trial is not concluded within six months from today, the applicant is at liberty to file application for bail before this Court.

(SANJAY A. DESHMUKH, J.)

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