

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

BAIL APPLICATION NO. 585 OF 2024

Ajay Shahaji Munde

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. V.D. Salunke h/f Mr. D.H. Jadhavar

APP for Respondent/State : Mr. S.P. Sonpawale

...

CORAM : S.G. MEHARE, J.

DATED : AUGUST 05, 2024

**PER COURT:-**

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail on the ground of delay in trial. The Court had called the detailed report from the Principal District and Sessions Judge, Osmanabad. On the basis of material produced before her or extracted from the record, she has opined that it is not the case that the prosecutor did not proceed with the matter; however, it was the applicant/accused who was applying to the Court not to proceed with the matter. She also reported that the witnesses were present in the Court, however they were sent back due to the applications filed by the counsel for the applicant. The overall facts of the case reveal that this way or the other, the matter could not be proceeded. However, there was no material to blame the prosecution

for delaying the trial. In such circumstances, instead of recording any finding against anybody, the Court is of the opinion, it would be appropriate to direct the Sessions Court to expedite the trial by conducting day-to-day trial and conclude the same within six months from today, subject to cooperation of the accused and his counsel.

3. The learned Trial Court is directed to list the matter for recording the evidence day-to-day. The prosecution is directed to make attempts to produce him on each and every date for recording the evidence. However, if the situation is beyond the control, in that circumstances, he may be produced on V.C. and witnesses should be examined.

4. In view of the above, the application stands disposed of.

**(S.G. MEHARE, J.)**