



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 920 OF 2024

SOMNATH RAJENDRA PAWAR  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Shailesh S. Chapalgaonkar  
APP for Respondent No.1 : Mr. S. P. Sonpawale  
Advocate for Respondent No.2 : Ms. Sumedha Thombre (Appointed  
Through Legal Aid)  
...

**CORAM : S. G. MEHARE, J.**

**DATE : 21-08-2024**

**PER COURT :-**

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2.

2. This is a subsequent bail application filed directly to this Court. The applicant's counsel pointed out that on 27.03.2024, the Prosecutor had applied for issuance of summons. The Court was supposed to issue summons quickly. There were no reasons to adjourn the matter for hearing on the issuance of summons. The trial has been stalled unnecessarily. However, he did not produce entire *Roznama* after 10.04.2024. He may point out the fault of the trial Court and seeks bail on the ground of delay at the instance of prosecution and the Court. He may move an

application for bail on the ground of delay at the instance of the prosecution before the learned Sessions Court.

3. A speedy trial is a fundamental right of the accused. This Court, from time to time, instructed the District Judiciary not to keep the under trial cases pending for a long period. The witnesses having no concern with the matter, they may be examined. So, trial may progress.

4. Recently, in the case of ***Javed Gulam Nabi Shaikh vs The State Of Maharashtra, Criminal Appeal No 2787 of 2024 (Arising out of SLP (Crl) No 3809 of 204) on 3 July, 2024***, the Hon'ble Supreme Court has expressed that a long delayed trial by keeping the applicant behind bar without progress in trial, entitled the accused bail.

5. The learned counsel for the applicant seeks leave to move an application for bail on the ground of delay before the trial Court. Leave granted.

6. In the above terms, the application stands disposed of.

**( S. G. MEHARE )**  
**JUDGE**