



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 BAIL APPLICATION NO. 2065 OF 2023

Vikram @ Vicky @ Vicky Baba Shamrao Goyar
VERSUS
The State of Maharashtra

Advocate for Applicant : Mr. Amol S. Sawant
APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 13th FEBRUARY, 2024.

PER COURT :-

1. After hearing learned advocate for the applicant and learned A.P.P. for the State, when this court expressed disinclination to allow the application, learned advocate for the applicant, on instructions, seeks leave to withdraw the application.
2. Leave granted. The application is disposed of as withdrawn.
3. Learned advocate for the applicant submits that the charge is not framed and trial is not commenced since last seven years.
4. Considering the fact that the applicant and other co-accused are languishing in jail since last seven years, it would be proper to give directions to the trial court for expeditious hearing of the trial. It shall be conducted in literal sense of word "session". Needless to mention that session means, once it is started it shall not be stopped till the disposal

of the trial finally.

5. In view of the above, the learned trial court is directed to frame charge within one month from today and conduct the trial on day to day basis.

6. This Court while deciding Bail Application No. 1629 of 2023, by the order dated 19.1.2024, requested and called a report from each District and Sessions Courts within the jurisdiction of this Bench at Aurangabad, to ascertain as to how many cases are expedited by this Court and the Hon'ble Supreme Court so that the trial Courts shall not be burdened by expediting many cases at once. The reports from judicial districts of Osmanabad (Dharashiv), Jalgaon, Latur, Ahmednagar, Nandurbar, Dhule, Beed, Nanded and Parbhani are received. However, the reports are not received from Aurangabad and Jalna. It was requested in that order to send number of expedited cases court wise till 13.02.2024. Now, the directions are required to be given to the remaining the Principal District and Sessions Judges to submit report Court wise as aforesaid till 27.02.2024.

7. The Special Court, Dhule seized with the Special Case No. 7 of 2021 is directed to conduct the trial by keeping dates on day to day basis and conclude it as early as possible in any case within one year from today. It is further directed to mention the reasons in the daily sheet of the proceeding as to progress or obstacles in deciding case. If

there is no co-operation on the part of any of the concerned heavy costs can be imposed.

8. If the trial is not concluded within one year the applicant is at liberty to file an application for grant of bail before this Court. The special court to note that if the trial is not concluded then on the ground of delay, the applicant is entitled for bail. Needless to mention that this Court and Hon'ble Supreme Court in many judicial pronouncements granted bail to the accused on the ground of right to speedy trial.

9. The Registrar (Judicial) of this court is directed to call the report from the remaining District and Sessions Court as per above directions and report accordingly.

10. List the matter on 27.02.2024 for compliance.

(SANJAY A. DESHMUKH, J.)

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