

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3 OF 2024**

Santosh Bapurao Rathod

...Applicant

Versus

State Of Maharashtra

...Respondent

....

Mr. Mangesh Deshmukh a/w Mr. Santosh Pawar, Advocate for the Applicant.

Mr. Arfan Sait, APP for the Respondent – State

Mr. Deepak Surve, PSI, Unit-3, Crime Branch, Mumbai.

CORAM : PRAKASH D. NAIK, J.

DATE : 1st FEBRUARY, 2024.

P.C.:

1. The Applicant is facing prosecution vide Criminal Case No.1009/PW/2020 pending before Court of 22nd Metropolitan Magistrate at Andheri. The Applicant is tried for offences under Sections 454, 457, 380, 109, 120-B r/w 34 of Indian Penal Code (for short 'IPC').

2. Learned Advocate for the Applicant submitted that the Applicant was working in Police Department. On account of the prosecution, he has been dismissed from services. However, the Applicant is now selected for Police Sub-Inspector and the training of the other candidates have already commenced. The prosecution has so far examined two witnesses. On most occasions the Accused and the Advocates are present before the trial Court. The trial may

be expedited by directing the trial Court to conclude the same within period of three months. It is submitted that the Applicant had preferred an application under Section 91 of Cr.P.C. for production of data of record and phone locations of Pancha witnesses. There is no cogent evidence against the Applicant to involve in the crime.

3. Learned APP submitted that there are about 10 Accused in this case. The prosecution has examined about two witnesses. The prosecution may examine about 13 more witnesses. It would not be possible for the trial Court to conclude the trial within short span of time.

4. Considering the aforesaid circumstances, the trial Court is directed to conclude the trial within a period of six months from the date of receipt of this Order. All the Accused and the prosecution shall cooperate with the trial Court in concluding the trial expeditiously.

5. The registry shall communicate this Order with the trial Court immediately.

6. Application stands disposed off.

(PRAKASH D. NAIK, J.)