

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***INTERIM APPLICATION NO. 88 OF 2024
IN
CRIMINAL WRIT PETITION NO. 3947 OF 2023***

Ashim Deb & Anr. ... Applicants

Versus

Judge Madhuri Avinash Anand & Ors. ... Respondents

Mr. Ashim Deb, the Applicant No.1 appears in-person

Mrs. P. P. Shinde, A.P.P for the Respondent No.6-State

**CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.
MONDAY, 15th APRIL 2024**

P.C :

1 At the outset, we may note that the applicant No.1 insisted on arguing in-person, despite the Committee's report that he was not capable of arguing in-person. We also offered Legal Aid to the said applicant, however, he refused and insisted that he will argue his matter in-person. Accordingly, we heard the applicant No.1 in-person.

2 By the present interim application, the following interim reliefs are sought :

*“a. Be pleased to pass an order directing the learned trial court ADJ-2 Panvel-Raigad to stay the pending Special Case 60 of 2021 till implementation of **FAIR TRIAL**.*

b. Be pleased to decide the matter on merit.

c. Any other order this Hon’ble High Court deemed fit in the interest of justice.”

3 By a separate order passed today, we have dismissed the applicant’s interim application i.e. Interim Application No. 1564/2024 in view of the alternative remedy available to the applicant by way of filing a substantive petition to challenge the order passed by the learned Additional Sessions Judge, by which the learned Judge was pleased to reject the applicant’s discharge application.

4 By the aforesaid interim application, the applicant seeks stay of the proceedings till his matter is decided. In view of

the dismissal of the Interim Application as stated aforesaid, nothing survives for consideration in the aforesaid Interim Application. The same is also disposed of.

5 Needless to state that it is open for the applicant to seek appropriate interim relief i.e. stay of the proceedings in a substantive petition seeking his discharge from the said case.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.