

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

CRIMINAL WRIT PETITION NO. 1585 OF 2018

Patricia Malcomfarrow

...Petitioner

Versus

The State of Maharashtra And Anr.

...Respondents

....

Mr. Hrishikesh R. Chavan a/w Pravin V. Kamble, Advocate for the
Petitioner.

Mr. Y. Y. Dabake, APP for the Respondent – State.

....

CORAM : PRAKASH D. NAIK, J.

DATE : 15th JANUARY, 2024.

P.C.:

1. The limited prayer sought in this Petition issuing directions to learned Metropolitan Magistrate for expeditious hearing of the trial in C.C. No.2804/PW/2013. The Petitioner had initially approached this Court by preferring Criminal Writ Petition No.529 of 2012 seeking directions for registration of the First Information Report (FIR). Vide order dated 19th June 2012, the concerned police station was directed to record the statement of the Petitioner/Complainant and proceed in accordance with law.

2. Pursuant to order dated 19th June, 2012, the FIR was registered and on completing investigation charge-sheet was filed on 12th November 2013.

3. Learned Advocate for the Petitioner on instructions submitted that though the proceedings are pending before the trial Court since 2013, there is no progress in the trial. Charge is not framed. The next date before the trial Court is on 14th August, 2024.

4. This Petition was heard by this Court on 23rd August 2018 and considering the grievance of the Petitioner, the registry was directed to call for the status of the Criminal Case No.2804/PW/2013. The concerned Court was also directed to send the information about similar cases of which year are being taken up for hearing. Surprisingly, the report in accordance with order dated 23rd August 2018 is not received by this Court till date.

5. Be that as it may, it is pointed out by the learned Advocate for the Petitioner that there is no progress in the trial and even charge is not framed. The Petitioner/Complainant is a woman. The proceedings are pending before the trial Court since 2013. Considering these circumstances, the trial can be directed to be expedited.

ORDER

- i) The learned Metropolitan Magistrate, 26th Court at Borivali, Mumbai is requested to conclude the trial in C.C.No.2804/PW/2013 expeditiously within a period of one year from today.
- ii) This order may be communicated to the trial Court immediately.
- iii) Writ Petition stands disposed of accordingly.

(PRAKASH D. NAIK, J.)