

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

BAIL APPLICATION NO.1197 OF 2023

Pramod Baburao Shelke ...Applicant
Versus
The Customs Department, Narcotic Cell, ...Respondents
Pune & Anr.

Mr. Mithilesh Mishra i/b Gopal Bhosale, for the Applicant.

Mr. Amit Munde, SPP, for Respondent No.1-Customs
Department, Narcotic Cell (Pune).

Ms. Veera Shinde, APP, for the Respondent-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : FEBRUARY 01, 2024**

P.C.:

1. Heard Mr. Mishra, learned Counsel appearing for the Applicant.

2. At the outset, he pointed out the Order dated 30th March 2023 passed by learned Single Judge [Coram: N. R. Borkar, J] in Bail Application No.2628 of 2022 filed by two co-accused. The said Order reads as under:

"1. Considering the fact that the applicants are in jail for more than two years and as there are no other criminal antecedents, the trial Court shall endeavour to conclude the trial, as early as possible. In case, the trial is not concluded within a period of six months from the date of receipt of copy of this order, the applicants are at liberty to file fresh application for bail.

2. The Bail Application is disposed of in the aforesaid terms."
3. He further submits that although the above Order is passed on 30th March 2023, till date, there is no progress in the trial.
4. Mr. Munde, learned SPP appearing for Respondent No.1-Customs states that one co-accused is enlarged on bail and there is delay in conducting trial as he files either exemption Application or adjournment Application and, therefore there is no progress in the trial.
5. The factual position on record shows that the Applicant was apprehended from the truck which was carrying about 868 kg Ganja.
6. Mr. Mishra, learned Counsel appearing for the Applicant has raised certain contentions, however, the bail Application filed by co-accused has already been disposed of in above terms.
7. The learned Trial Court is requested to conclude the trial within a period of one year from today.
8. The Applicant is granted liberty to file a fresh bail Application after a period of eight months if there is no substantial progress in the trial.
9. Accordingly, the Bail Application is disposed of.

[MADHAV J. JAMDAR, J.]