

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4961 OF 2022

Tariq Abdul Karim Merchant	...Petitioner
Versus	
State Of Maharashtra	...Respondent

Mr. Rathod i/by Mr.Waqar Nasir Pathan Advocate for Petitioner.
Mr. Y. Y. Dabake, APP for Respondent-State.
PSI Lembhe, Anti Extortion Cell, Crime Branch, Mumbai.

CORAM : PRAKASH D. NAIK, J.

DATE : 2nd FEBRUARY, 2024

Digitally signed
by ETHAPE
DNYANESHWAR
ASHOK
Date: 2024.02.06
10:10:46 +0530

P.C.:-

1. The Petitioner facing prosecution for offence under the M.C.O.C. Act pending before the MCOC Special Court, Mumbai.
2. Limited relief sought in this petition is to expedite the trial in MCOC special Case No.474 of 2020.
3. It is submitted that, the applicant was arrested on 9th February 2020. the charge-sheet was filed on 18th June 2020. Charge was framed on 6th January 2022. First witness was examined on 23rd August 2022. The second witness was examined on 12th October 2022. The examination-in-Chief of the third witness had commenced on 1st February 2023 and it was completed on 3rd May 2023. Thereafter, accused No.1 and 2 have

completed cross-examination of the witnesses but there is no further progress in the trial. The cross-examination is pending since 12th October 2023. The applicant is in custody for four years. Other accused are also in custody.

4. Learned APP submitted that, the trial has commenced. Two witnesses were examined. The evidence of third witnesses is being recorded. Cross-examination could not be completed on account of several reasons. The prosecution proposes to examine about 22 more witnesses.

5. It is pertinent to note that, the accused are in custody for about four years. The prosecution has so far examined two witnesses. Third witnesses is under examination. 22 more witnesses are proposed to be examined.

ORDER

(i) The trial Court is requested to make an endeavour to conclude the trial within a period of six months from the date of receipt of this order.

(ii) It is expected that, both the sides co-operate with the trial Court in concluding the trial expeditiously.

(ii) Petition stands disposed off.

(PRAKASH D. NAIK, J.)