

Shailaja

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

CRIMINAL BAIL APPLICATION NO.2623 OF 2022

Kantilal alias Kanti Yashwant Mokashi] Applicant

Vs.

State of Maharashtra] Respondent

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Mr. Sameer D. Hatle a/w Mr. Prathamesh G. Fernandes, for Applicant.

Mr. Ashish Satpute, A.P.P, for Respondent – State.

Mr. Sunil P. Nikam, Head Constable/4529, Crime Branch, Unit – 5, Wagle Police Station.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 28th FEBRUARY, 2024.

P.C.

1. Learned Counsel for the applicant submits that charge has not yet framed despite incarceration of the applicant since five years. The offence indeed is serious as is evident from the charge-sheet.

2. In an order of rejection of bail application, the learned Additional Sessions Judge noted that the applicant was arrested in similar kind of offence by Ambad Police Station, Nashik. According to the Additional Sessions Judge, applicant appears to be a habitual offender.

3. Learned Counsel seeks to withdraw the application with a direction to the trial Court to expedite hearing of the case.
4. Application is dismissed as withdrawn with a direction to the trial Court to frame a charge within two weeks from the date of passing of this order.
5. The trial Court shall commence recording evidence of the prosecution witnesses keeping in mind the provisions of Section 309 of the Code of Criminal Procedure and shall make every endeavour to conclude the trial as expeditiously as possible and, in any case, before 10th May, 2024.

[PRITHVIRAJ K. CHAVAN, J.]