

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

BAIL APPLICATION NO. 2766 OF 2023

Kismat Aabel Shaikh ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Raees Khan, for the Applicant.
Mr. S. R. Aagarkar, APP for the State/Respondent.

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CORAM: N. J. JAMADAR, J.
DATED: 21st MARCH, 2024

PC:-

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the applicant, on instructions, seeks leave to withdraw the application.
3. The learned Counsel, however, submits that the applicant has been in custody for almost six years and thus trial be expedited.
4. The learned APP invites attention of the Court to the roznama of the proceedings dated 30th November, 2023, which records that the applicant had made a request that the charge may not be framed as the bail application is pending before this Court and submits that the trial is delayed on account of such dilatory tactics of the accused.

5. Nonetheless, since the applicant has been in custody for more than six years, it may be expedient that the trial be expedited.
6. The roznama dated 28th February, 2024 indicates that the matter is posted for charge on 3rd April, 2024.
7. In view of the above, the application stands dismissed as withdrawn.
8. The learned Sessions Judge, seized with Sessions Case No.260 of 2018 arising out of CR No.190 of 2018, is requested to make an endeavour to commence and conclude the trial as expeditiously as possible and, preferably, within a period of Ten Months from the date of communication of this order.
9. Application stands disposed.

[N. J. JAMADAR, J.]