

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

**BAIL APPLICATION NO. 3261 OF 2023
WITH
BAIL APPLICATION NO. 3269 OF 2023**

Ramesh Kalyan Kale and ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

WITH

BAIL APPLICATION NO. 3265 OF 2023

Sanjay Kalyan Kale ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr. Nitin Sejpal, for the Applicant in all BA.

Mr. Tanveer Khan, APP for the State/Respondent in
BA/3261/2023.

Mr. S. R. Aagarkar, APP for the State/Respondent in
BA/3265/2023 and 3269/2023.

API Suryakant Laxman Doke, Borivali Police Station,
present.

CORAM: N. J. JAMADAR, J.

DATED: 22nd FEBRUARY, 2024

PC:-

1. Heard the learned Counsel for the parties.
2. The learned APP invites the attention of the Court to an order dated 6th September, 2023 passed by this Court, whereby time to conclude the trial in Sessions Cases No.300 of 2016 and 301 of 2016 has been extended by six months.

3. The learned APP further informs the court that 17 witnesses have already been examined. The Session Cases were posted for recording of the evidence of 8th witnesses today. However, as adjournment was sought on behalf of the accused, the evidence could not be recorded.

4. Mr. Sejpal, the learned Counsel for the applicant, submits that the applicants are in custody for more than eight years. As the Court had already directed expeditious conclusion of the trial and time has already been extended by order dated 6th September, 2023, Mr. Sejpal prays for direction for day to day hearing of the Sessions Cases.

5. Without ascertaining the position of the file of the learned Additional Sessions Judge, seized with the trial in Sessions Cases No.300 of 2016 and 301 of 2016, it may not be appropriate to pass such an order. The learned Additional Sessions Judge is requested to make an endeavour to assign some time on the scheduled dates to positively hear Sessions Cases No.300 of 2016 and 301 of 2016.

6. However, this Court reiterates that the trial in Sessions Cases No.300 of 2016 and 301 of 2016 shall be positively concluded within six months from the order dated 6th September, 2023.

7. Application stands disposed.
8. In the event, the trial is not concluded within the extended period, the applicants shall be at liberty to revive the prayer for bail before this Court.

[N. J. JAMADAR, J.]