



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

WRIT PETITION NO.182 OF 2023

AJINATH DNYANDEO HANDE ..PETITIONER
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Sharad Bhosale for the Petitioner.

Adv. Vilasini Balasubramanian for Respondent No.2.

Mr. S.A. Karmarkar, APP for the State.

S.F. Pathan, Temburni Police Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : APRIL 15, 2024

P.C. :

1. By this petition, the petitioner prays for quashing and setting aside the order dated 22/04/2022 passed by the trial Court in Sessions Case No. 16 of 2020 arising out of C.R. No. 557 of 2019 under Sections 302, 307, 114, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code registered with Tembhurni Police Station, Solapur.

2. Heard learned counsel for the petitioner- original accused No.4, learned counsel for respondent No.2 and learned APP for the State.

3. Learned counsel for the petitioner submitted that there is hardly any material on record to justify the prosecution's case against the petitioner. Learned counsel for the petitioner then takes up a plea of alibi. I have perused the impugned order which is annexed at page No.101 of the paperbook.

4. Learned APP and learned counsel for respondent No.2 invited my attention to the order dated 25/02/2021 passed by the Division Bench of this Court in Criminal Application No. 14 of 2021 where the relief was prayed by the present applicant to quash the proceeding in Sessions Case No. 16 of 2020.

5. Having regard to the materials on record and having perused the impugned order passed by the trial Court, I did not find this is a fit case to interfere with the order passed by the trial Court rejecting the petitioner's application for discharge. Learned counsel for the petitioner requested that the trial be expedited. My attention is invited to the order dated 06/03/2024 passed by this Court in Bail Application No. 635 of 2024 in respect of the co-accused Hanumant

Dagdu Kolekar. This Court has directed to complete the trial of the co-accused on or before 30/06/2024.

6. In this view of the matter, the applicant is at liberty to request the trial Court to expedite the trial which request shall be considered by the trial Court in the light of the observations made in the order dated 06/03/2024 passed in Bail Application No. 635 of 2024.

7. The writ petition is disposed of in the aforesaid terms.

(M. S. KARNIK, J.)