

Sayali Upasani

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4176 OF 2023

Jivach Kuse Mukhiya

...Applicant

Vs.

The State of Maharashtra and Others

...Respondents

SAYALI
DEEPAK
UPASANI

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by SAYALI
DEEPAK
UPASANI
Date: 2024.03.30
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Ms. Roohita Shaikh, with Mr. Anil Nile i/b Javed Shaikh, for
Applicant.

Mr. Shailesh Suresh Ghag , APP for State-Respondent.

Ms. Nilofar Sayyed, for Victim.

CORAM:- N. J. JAMADAR, J.

DATED:- 27th MARCH, 2024

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This is a second Bail Application. The first Bail Application was dismissed as withdrawn on 23rd November, 2021.
- 3) The learned APP, on instructions of the Investigating Officer, who is present in Court, informs that the trial has commenced and four witnesses have been examined and the prosecution proposes to examine two more witnesses including the Investigating Officer.

- 4) In view of the aforesaid statement, the learned Counsel for the applicant seeks leave to withdraw the application.
- 5) The learned Counsel, however, submits that after the transfer of the Special Case No. 90 of 2023 to the Special Court at Belapur, there has not been much progress in the trial.
- 6) The learned Counsel, therefore, seeks a direction for expeditious conclusion of the trial.
- 7) Having regard to the period of incarceration of the applicant, the prayer for expeditious conclusion of the trial seems justifiable.
- 8) The application stands dismissed as withdrawn.
- 9) As the trial has commenced and four witnesses have already been examined, it may be expedient to request the learned Special Judge to conclude the trial in Special Case No. 90 of 2023, arising out of CR No. 4 of 2020, registered with NRI Sagari Police Station as expeditiously as possible and preferably within a period of five months from the next scheduled date of hearing before the Special Court.
- 10) The application stands disposed.

[N. J. JAMADAR, J.]