

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1842 OF 2024**

Ms. Santosh Ravindranath Mishra

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Adv. Anil M. Dubey for the Petitioner.

Mr. Ashish I. Satpute APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.
DATE : 26th JULY, 2024.**

P.C.:-

1) Present Petition is filed for quashing of C.C. No.714/PS/2013, pending on the file of 24th Metropolitan Magistrate, Borivali, Mumbai arising out of C.R. No.13 of 2012 registered with Malad Police Station, Mumbai.

2) The main ground which is urged by the learned Advocate for the Petitioner before us is that, there is a substantial delay in concluding the trial and therefore the right of an accused of speedy trial as enshrined under Article 21 is violated. It is submitted that, in the present case the charge was framed on 13th June, 2016 and since then not a single witness has been examined by the prosecution. That, the trial Court has now scheduled the said case for leading evidence on 23rd January, 2025.

- 3) In view of the above, we deem it appropriate to direct 24th Metropolitan Magistrate, Borivali, Mumbai seized of C.C. No.714/PS/2013, to expedite its hearing and to conclude the same within a period of six months from the date of receipt of present Order, without seeking extension in that behalf.
- 4) If the learned Magistrate is of the opinion that, either of the parties are not co-operating in speedy disposal of trial of the said case, he may invoke and adopt necessary provisions under the Cr.P.C. for expeditious disposal.
- 5) Petition is disposed off with the aforesaid directions.
- 6) It is made clear that, we have not considered the merits involved in the Petition and both the parties are at liberty to plead their case before the trial Court.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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