

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4656 OF 2024**

Javed Iqbal Ansari

... Petitioner

Versus

State of Maharashtra

... Respondent

.....

Mr. Prathmesh P. Bhosle, Advocate for the Petitioner.

Smt. Sangeeta D. Shinde, APP for Respondent – State.

CORAM : SHIVKUMAR DIGE, J.**DATED : 2nd DECEMBER, 2024.****P.C. :**

1. By this writ petition, petitioner has prayed for expedite the trial pending before the learned Sessions Court at Dindoshi, Mumbai.
2. It is contention of learned counsel for the petitioner that the petitioner has charged under Section 376(2)(f)(n), 376(3) and 506(II) of Indian Penal Code, 1860 (for short “IPC”) and under Section 6 of Protection of Children From Sexual Offences Act, 2012 (for short “POCSO”) which is pending before the Special Court, Dindoshi. The petitioner is behind bar since more than four years and there is no progress in the trial. The petitioner’s bail application has been rejected by the learned Trial Court vide order dated 13.05.2021. The charge has been framed against the petitioner on 15.07.2024, since then there is no progress in the trial, hence requested to allow the petition.

3. Learned APP strongly objected to allow the petition.
4. I have heard both the learned counsel. The Petitioner is behind bar more than 4 years. The charge is framed in July, 2023 since last one year and 4 months there is no progress in the trial. Considering these facts, I pass following order.

ORDER

- (i) Writ petition is allowed.
- (ii) Learned Special Court is directed to expedite the Special Case No. 190 of 2020 as early as possible.
- (iii) Chargesheet copy be given to the petitioner or his Advocate who is representing the petitioner before the Special Court. If none appears for the petitioner, learned Special Court shall appoint Advocate from the legal aid panel to represent him.