

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2357 OF 2024

Sandip Pitambar Khairnar ... Applicant
Vs.
State of Maharashtra ... Respondent

Ms. Suvarna S. Yadav (appointed Advocate through Legal Aid) for Applicant.

Mr. Kiran C. Shinde, APP for Respondent-State.

Mr. T. V. Mengal, PSI, Aarey Police Station, Mumbai.

CORAM : MANISH PITALE, J.
DATE : AUGUST 09, 2024

P.C. :

. This application is received from jail and in that light, the learned advocate appointed by the High Court Legal Services Committee has appeared in support of the prayer for bail.

2. It is pointed out that in the present case, the applicant was arrested on 04.06.2015 and that he has undergone incarceration for more than nine years. It is submitted that although two earlier bail applications of the applicant were rejected and this is the third bail application, considering the period of long incarceration, this Court may allow the application.

3. On the other hand, Mr. Shinde, learned APP submits that in terms of the direction of this Court (Coram: Bharati Dangre, J.) issued in the order dated 12.07.2022 passed in Bail Application No.1665 of 2020 of this very applicant, trial is being conducted on day-to-day basis and after recall of the witnesses also, only few witnesses need to be further examined. Since the trial is about to be completed, this Court may not entertain the present application. It is also brought to the notice of this

Court that on 15.07.2024, this Court dismissed bail applications of co-accused persons. In the said order, specific direction is given regarding completion of trial.

4. A perusal of the order dated 15.07.2024 passed by this Court in Bail Application Nos.4220 of 2023 and 1082 of 2024 shows that a specific direction is given to the concerned Court to complete the trial and render judgement on or before 15.09.2024.

5. Considering the said specific direction given by this Court and the statement made by the learned APP that all efforts are being made to ensure that the timeline is adhered to and the trial is completed at the earliest, this Court is inclined to adjourn this application to a date after 15.09.2024, to assess as to whether the trial Court has indeed made an effort and completed the trial within the stipulated period of time. If the trial is not completed within the stipulated period of time, this Court may consider the present application for further hearing and orders.

6. In view of the above, list the application for further consideration on 20.09.2024, to be included in the supplementary list.

(MANISH PITALE, J.)

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