

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2908 OF 2024

Venkatesh Shettiar And Anr ...Applicants
Versus
The State Of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO. 2853 OF 2024
IN
CRIMINAL BAIL APPLICATION NO. 2908 OF 2024

Sandeep Sunil Kumar Lohariya ...Applicant
Versus
The State Of Maharashtra & Ors. ...Respondents

Mr. Aditya Sharma, Advocate for the Applicants.

Mr. Himanshu Kode i/by Ameya Lambhate and Malay Mishra for
Intervenor.

Smt. Aruna Pai, Special P.P. for the Respondent – State.

Mr. Parshuram Patil, Senior P.I., Crime Branch,-I, Mumbai.

CORAM : N. J. JAMADAR, J.
DATE : 13th AUGUST 2024

PC.:

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the Applicants, on instructions, seeks leave to withdraw the application.
3. The learned Counsel for the Applicants, however, submits that having regard to the period of incarceration of the

applicants, the learned Additional Sessions Judge be requested to conclude the recording of evidence within a period of eight weeks.

4. The learned Special Public Prosecutor submits that the examination in chief of PW-80, the Investigating Officer, is likely to conclude soon. However, there are 11 accused and the cross-examination of the Investigating Officer may take time.

5. The Applicants are in custody for more than 11 years and five months. The report of the learned Additional Sessions Judge indicates that efforts have been made by the learned Additional Sessions Judge to conclude the trial expeditiously.

6. Nonetheless, without delving into the aspect, as to why the trial could not be completed, it may be expedient to request the learned Additional Sessions Judge to positively conclude the recording of evidence for prosecution by the end of October 2024.

7. The learned Special Public Prosecutor, on instructions, makes a statement that the prosecution shall not take any adjournment.

8. The Applicants and the other accused shall also render the

necessary co-operation to the learned Additional Sessions Judge to conclude the recording of the evidence of the prosecution witnesses, by the end of October 2024.

9. In the event the recording of evidence is not concluded by the end of October 2024, the applicants may have the liberty to revive the prayer for bail.

10. Bail Application stands disposed.

11. In view of disposal of the Bail Application No.2908 of 2024, Interim Application No.2853 of 2024 does not survive and stands disposed.

(N. J. JAMADAR, J.)