

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3689 OF 2024

Sandesh Sitaram Jadhav	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Shailesh Chavan a/w Akash Sonavane for the Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.
Mr. Shrirang T. Gosavi, API, Mahatma Phule Chowk Police
Station, Kalyan, Thane.

**CORAM: MANISH PITALE, J.
DATE : 12th DECEMBER 2024**

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. It is an admitted position that this is the second bail application before this Court. The first bail application i.e. Bail Application No. 150 of 2021 was disposed of on 17th October 2022 by this Court (Coram: Bharati Dangre, J.) in the following manner :

“1 On expressing my disinclination to entertain the application, learned counsel for the applicant seek permission to withdraw the application. Permission is granted.

2 Application is disposed off as withdrawn.”

3. It is obvious from the above quoted order that the first bail

application was argued on merits before this Court and when this Court was not inclined to grant relief, the same was withdrawn.

4. Hence, this Court is not inclined to hear the applicant on merits again.

5. In this situation, the learned counsel for the applicant submits that the applicant having been arrested on 6th August 2019, has suffered incarceration for a period of 5 years and 4 months, which is a substantial period of time. It is brought to the notice of this Court that although, charge has been framed, the trial is yet to begin.

6. In this situation, the learned APP submits that since the charge-sheet shows a list of only 30 witnesses, all steps can be taken to expedite the proceedings before the trial Court, so that the trial itself is finished in an expeditious manner.

7. In view of the above, the application is disposed of by directing the concerned trial Court to take up the process of recording evidence of witnesses at the earliest because the charge has been already framed. Although, the list of witnesses shows that the prosecution intends to examine 30 witnesses, in practical terms, fewer witnesses would be examined. This should be made clear by the prosecution at the earliest before the trial Court.

8. The trial shall be completed as expeditiously as possible and in any case, within one year from today.

9. In the event, the trial is not completed within the said period of time and the delay is not attributable to the applicant, liberty is reserved for the applicant to apply afresh for bail.

MANISH PITALE, J.