



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APPW) No. 24 of 2024

in

Criminal Writ Petition (WP) No. 327 of 2022

Ankit S/o Radheshyam Biranwar

Versus

State of Maharashtra through PSO, PS Ram Nagar, Gondia

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

None for the petitioner.

Shri Anup Badar, APP for the respondent/State.

**CORAM : SMT. VIBHA KANKANWADI &
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 27th JUNE, 2024.

Learned advocate for the applicant/petitioner is absent, when the matter is called. He was also absent on 11th June, 2024.

2. Criminal Application No. 24 of 2024 is filed for issuance of direction to expedite the Sessions Trial No. 71 of 2020 pending before the learned District Judge-1 and Additional Sessions Judge, Gondia. The status report from the concerned Court was called by order dated 11th June, 2024. Accordingly, the status report has been filed. It can be gathered from the status report that the present applicant who appears to be accused no.1 has engaged some advocate from Nagpur who generally insist that date should be given on Saturday and accordingly to accommodate him mostly the dates have been given on Saturday. Rest of the accused have engaged local advocates. It also appears that the time has been consumed by other accused persons by filing bail application which have been

decided. Now, bailable warrant has been issued against the witnesses. In all six witnesses have been examined till today.

3. In such scenario, unless all the learned advocate representing the accused persons would cooperate with the concerned Court, there cannot be quick and speedy disposal.

4. The application stands disposed of with a direction to the learned trial Judge to explore the possibility to dispose of the case as early as possible. Direction is also given to the learned advocate representing the accused persons to co-operate with the concerned Court and to avoid unnecessary delay and adjournment.

Criminal Writ Petition No. 327 of 2022

1. It can be seen the Criminal Writ Petition No. 327 of 2022 filed by the applicant/petitioner was disposed of by judgment and order dated 3rd April, 2023 and it was recorded in a specific word that petition is 'frivolous' and therefore costs of Rs.10,000/- was imposed on the petitioner. Till today, the said amount has not been deposited.

2. Further it appears that by order dated 28th April, 2023, this Court has directed a District Collector to recover the costs amount from the petitioner as arrears of land revenue. There is no report submitted by the learned District Collector in respect of the same. We, therefore, direct District Collector, Gondia to start the process of recovering the costs amount from the petitioner as arrears of land revenue and give report about the same within a period of two months.

3. Place the matter for further consideration on **4th September, 2024**.

[MRS. VRUSHALI V. JOSHI, J.]

[SMT. VIBHA KANKANWADI, J.]