

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

CRIMINAL WRIT PETITION NO. 582 OF 2025

Dr Sudhir Vithal Medhekar

...Petitioner

Vs.

The State of Maharashtra

...Respondent

Adv. Namrata Agashe	Advocate for the Petitioner
Ms. Sangeeta E. Phad	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 01st JULY 2025

P. C. :-

1. Heard learned Advocate for the Petitioner-first informant and learned APP finally at an admission stage.
2. The only issue involved in this petition is whether there can be goby to the direction given by the Division bench on 13.03.2024 in the Criminal Appeal No. 911 of 2019, thereby making video recording of the proceeding compulsory. There is trial pending before the learned Special Judge bearing Special Case No. SCST 2 of 2011. The present

Petitioner is the first informant. He made two separate applications praying for direction of video recording. The learned Judge as per two separate orders of the same date i.e. 15.06.2024 has rejected both the applications. That is why, the present petition.

3. There cannot be dispute about implementation of the direction given by the Division bench. Although the learned judge was conscious of the direction given by the Division bench, the learned Judge has rejected the request. The Division bench had directed the State Government to provide necessary facilities for video recording in the Courts wherein proceedings under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act are pending. In fact when learned Special Judge is aware of this direction, the application ought not to have been rejected by the learned Judge.

4. In view of that Petition deserves to be allowed by giving certain directions. There is prayer for a stay of the trial. This Court cannot consider it, because accused are not the Respondents. This prayer can be made before the trial Court.

5. According to the learned APP, the trial is pending for more than 13 years. In view of that following order is passed:-

ORDER

- (i) Writ Petition is allowed.
 - (ii) Two orders dated 15.06.2024 passed by the learned Sessions Court, Mumbai in Special Case SC ST No. 02 of 2011 are set aside.
 - (iii) The Judge taking up the assignment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the City Civil Court is directed to issue necessary direction for setting up the video recording facility in that Court.
 - (iv) Even the correspondence can be made to the learned Principal Judge, City Civil Court for making arrangement of video recording.
 - (v) Even learned Principal Judge is at liberty to make necessary correspondence with the State Government.
6. The Writ Petition is disposed of.

[S. M. MODAK, J.]