

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

BAIL APPLICATION NO. 4122 OF 2024

Ronitraj Laxmikant Mandal

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. B.J. Shaikh, for Applicant.
- Mr. Tanveer Khan, APP for Respondent.
- Mr. R.P. Mavale, PSI, Ambarnath Police Station.

CORAM : MANISH PITALE, J.

DATE : 16th APRIL 2025.

**SHRIKANT
SHRINIVAS
MALANI**

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SHRIKANT
SHRINIVAS MALANI
Date: 2025.04.17
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P. C. :

1. In the light of the order dated 09th April 2025, the learned APP reports that charges are yet to be framed. This Court finds that despite the order dated 16th July 2024, directing the concerned Trial Court to frame charges within eight weeks from the date of the order and to complete the trial as expeditiously as possible, there has not been any progress before the Trial Court.

2. The learned counsel appearing for the applicant submits that in this backdrop, this Court may consider enlarging the applicant on bail, as he is ready to abide by conditions that may be imposed by this Court. On the other hand, the learned APP has opposed the aforesaid prayer and on instructions, he has assured this Court that the prosecution would be taking all necessary

steps to expedite the proceedings before the concerned Trial Court.

3. A perusal of the order dated 16th July 2024, passed by this Court rejecting the earlier Bail Application bearing No.2422 of 2024, shows that after the charge-sheet was filed and upon perusing the material placed on record by the Investigating Authority, this Court found that the applicant did not deserve to be enlarged on bail. This Court recorded detailed reasons in paragraph No.7 of the order. There is nothing that has changed on merits of the matter and therefore, the only aspect on which the learned counsel for the applicant is pressing the present application is the fact that the applicant was arrested on 29th May 2023 and there is no progress before the concerned Trial Court despite the charge-sheet having been filed and despite the directions given by this Court in the order dated 16th July 2024.

4. As noted in the earlier order, the applicant is facing prosecution for serious offence under Section 302 of the Indian Penal Code, 1860, for having committed the murder of his own wife in a most violent manner. The alleged weapon of assault was also recovered at the behest of the applicant and therefore, if the applicant is eventually convicted for the aforesaid serious offence, there is likelihood of punishment of life imprisonment being imposed upon the applicant. In such a situation, the applicant cannot claim that he has been incarcerated for a long period of time, having been arrested on 29th May

2023, to call upon this Court to exercise power as a Constitutional Court to release him on bail on the said ground. Therefore, this Court is not inclined to pass any positive order in favour of the applicant in the present application.

5. Nonetheless, it cannot be ignored that despite the directions contained in the order dated 16th July 2024, there has been no progress in the proceedings before the Trial Court. A perusal of the charge-sheet shows that the prosecution proposes to examine only 17 witnesses. In a practical terms, fewer witnesses would be examined, indicating that if a sincere effort is made by the concerned Trial Court, the trial itself in the present case can be completed within a reasonable period of time.

6. In view of the above, the application is dismissed. The assurance given on behalf of the prosecution stated hereinabove is recorded. The concerned Trial Court shall make an endeavour to complete the trial as expeditiously as possible.

(MANISH PITALE, J.)