

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3680 OF 2025

ANAND
SUDHAKAR
SUDAME

Ashish Girish Kamdar

.Petitioner

Versus

The State of Maharashtra

.Respondent

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by ANAND
SUDHAKAR
SUDAME

Date:
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Mr. Aniket Gole a/w. Mr. Prathmesh Samant i/b. Mr. Tejas Shetty,
Advocates, for the Petitioner

Mr. C. D. Mali, APP, for the Respondent – State

Ms. Anita Varade, Police Inspector, EOW, Mumbai present

CORAM : S. M. MODAK, J.

DATE : 14.07.2025

P. C.

1. Heard Mr. Gole, learned Advocate for the Petitioner – First Informant and Mr. Mali, learned APP for the Respondent – State.

2. It is true that the EOW, CID, Mumbai has filed Charge-sheet in connection with C. R. No. 35 of 2007 and it is pending before Additional Chief Judicial Magistrate, 19th Court, Mumbai.

3. By this Petition, the Petitioner – First Informant is praying for giving directions to decide the case as expeditiously as possible. There is an alternative prayer to fix the time limit.

4. The roznama of the trial Court from 03.09.2021 to 02.04.2025 annexed to the Petition consistently shows pendency of

the Revision Application. Time and again, the trial Court directed the Accused to produce the said report of the pending Revision Application. It also shows an Exemption Application filed by some of the Accused. There are three Accused persons.

5. Learned APP has rightly pointed out two facts :- (i) the Revision Application is pending and (ii) Accused are not joined as party Respondents. He is right.

6. In such eventuality, this Court cannot expedite the hearing of the case. The reason is that the Accused has applied for discharge and though rejected, it is pending for consideration by the Revisional Court. From the roznama, it shows that the Revisional Court has not granted any stay. The Discharge Applications were rejected by the trial Court on 05.07.2019. More than six years have lapsed thereafter. Pendency of the Revision Application does not mean that the trial Court should lay off its hands. Certainly limited directions can be given to the trial Court. Hence, the Order.

O R D E R

(i) The trial Court to verify from its own record that stay was not granted by the Revisional Court;

(ii) If there was no stay, then the trial Court may proceed with the framing of charge against Accused persons.

7. The Petition stands disposed of.

(S. M. MODAK, J.)