

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

CRIMINAL BAIL APPLICATION NO. 1235 OF 2025

Sagar Bharat Giri. ... Applicant.
Vs.
The State of Maharashtra & Anr. ... Respondent.

Mr. Rupesh Atul Zade, Advocate for the Applicant.
Dr. A.A. Takalkar, APP for Respondent/State.
API Snehal Thorat, Bharati Vidyapeeth Police Station, Pune.

CORAM : ASHWIN D. BHOBE, J.

DATE : 10th JULY, 2025.

P.C. :

1. Heard Mr. Rupesh Zade, learned Advocate for the Applicant and Dr. Takalkar, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. 497 of 2017 which is registered as Sessions Case No. 79 of 2018 and is pending before the learned Additional Sessions Judge, Pune.

3. Mr. Zade, learned Advocate for the Applicant submits that Applicant is before this Court for the 6th time seeking bail. He points out to the order passed by this Court on 30th October, 2021 in Bail Application No. 3605 of 2019 and the order dated 2nd

December, 2022 in Bail Application No. 2852 of 2022. He submits that despite the directions issued by this Court, the trial is not concluded.

4. By order dated 30th October, 2021 in Criminal Bail Application No. 3605 of 2019, this Court had passed following directions :

“2. Therefore today the learned counsel for the Applicant only prayed for the directions to expedite the trial without touching the merits of the matter. He submitted that the Applicant is a young boy. He was 20 years of age at the time of incident and he is in custody for 4 years.

3. I have considered learned counsel’s request for expediting the trial. Since he has not argued on merits, I am not touching the merits of the matter, but the fact remains that the Applicant was only 20 years of age at the time of incident and for 4 years he is in custody. The trial has not begun. It is necessary for the trial Court to take up this matter expeditiously and conclude it in a time bound manner.

4. The Bail Application is rejected as not pressed.

5. Learned trial Judge is requested to commence this trial at the earliest and to conclude it as far as possible within six months from today.”

5. On 2nd December, 2022 this Court in Criminal Bail Application No. 2852 of 2022 had passed following directions :

“1. This is the 5th time the applicant is approaching this Court for his release on bail. On all earlier occasions the bail applications were not pressed and

were withdrawn. There is no change in the merits of the matter. The only ground raised today is that the trial is still not over. However, Shri. Chavan states that the trial has commenced and two witnesses are already examined. He submitted that, even today he is not pressing this bail application with a request that the trial Court be directed to conclude the trial expeditiously. The request is reasonable.

2. Therefore, following order is passed:

O R D E R

- i) The application is allowed to be withdrawn and is disposed of as such.
- ii) The Trial Court shall conclude the trial within a period of Two months from receipt of this order.”

6. Applicant is urging violation of his fundamental right to speedy trial. Before adjudicating the present Bail Application, I deem it appropriate to call for a report from the Registry, as to whether learned Trial Court has applied for extension of time to dispose of the proceedings of Sessions Case No. 79 of 2018. Such report be filed by 14th July, 2025.

7. List the matter on 14th July, 2025.

(ASHWIN D. BHOBE, J.)