



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

924 CRIMINAL APPEAL NO. 642 OF 2025

DNYANESHWAR @ MANOJ BALAJI HARKAL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr. S. J. Salunke, Advocate for the Appellant

Mr. D. B. Bhange, APP for Respondent Nos.1 & 2 – State

Mr. R. D. Padaswan, Advocate (Appointed) for Respondent No.3

....

WITH

CRIMINAL APPEAL NO. 751 OF 2024

VISHAL KASHINATH KHETRE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr.V. P. Raje, Advocate for the Appellant

Mr. D. B. Bhange, APP for Respondent No.1 – State

Mr. R. D. Padaswan, Advocate (Appointed) for Respondent No.2

....

CORAM : Y. G. KHOBRAGADE, J.

DATE : January 08, 2026

PER COURT :-

1. On instructions, the learned counsel for the appellants seek leave to withdraw the appeals. However, they prayed for issuance of direction to the learned trial Court to conduct trial of Special Case No.01 of 2021 pending on the file of learned Additional Sessions Judge, Parbhani.

2. Needless to say that on 09.10.2025, this Court passed the following order:-

- “1. Learned APP to seek instructions from learned APP appearing before the Trial Court as to within what period the trial would be concluded and as to how many witnesses are to be examined.*
- 2. Pue up the matter on 06.11.2025.”*

3. Irrespective of above, on 06.04.2022, the Division Bench of this Court passed an order in Criminal Appeal No.83 of 2022 (Vishal Kashinath Khetre Vs. The State of Maharashtra and another) and Criminal Appeal No.210 of 2022 (Dnyaneshwar @ Manoj Balaji Harkal Vs. The State of Maharashtra and another) and the appellants were directed to file fresh application for bail before the trial Court. In pursuance of said order, both of these applicants filed application for bail, but the said application for bail came to be rejected. Therefore, both the accused have filed separate appeals and prayed for bail.

4. Needless to say, that the appellants have already made an averment in paragraph No. 5 of the appeal that, till 15.10.2022, the prosecution had examined a total of 31 witnesses and, as of today,

only 7 witnesses remain to be examined. Therefore, considering the nature of the offence, the seriousness and gravity thereof, as well as the long incarceration of the accused persons in jail, it would be just and proper to request the learned Trial Court to conclude the trial as expeditiously as possible, preferably within a period of six months from today.

5. In view of above, both the appeals are disposed off as withdrawn.

6. The fees of the appointed Advocate, Mr. Rohit D. Padaswan, is quantified at Rs. 5,000/- (Rupees Five Thousand Only) in each of the appeals.

[Y. G. KHOBRAGADE, J.]

SMS