



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

**904 CRIMINAL APPLICATION NO. 756 OF 2026**  
**IN REVN/1/2025**

VIKAS DAULATRAO WAGH

**VERSUS**

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Bharatkumar Ramdeo Warma, Advocate for Applicant  
Mrs. B. B. Gunjal, APP for Respondent/s-State

...

**CORAM : AJIT B. KADETHANKAR, J.**

**DATE : 26.03.2026**

**PER COURT :-**

1. Mr. B. R. Warma, learned counsel for the applicant, submits that despite the directions issued by this Court vide order dated 13.02.2025, the learned Trial Court has neither expedited the trial nor completed the examination of witnesses. He would submit that the applicant is presently facing prosecution in two matters vide Sessions Case No.138 of 2021 and Sessions Case No.274 of 2021 pending before the Court of learned District Judge-6 and Additional Sessions Judge, Ahilyanagar. He would submit that in Sessions Case No.138 of 2021 as per the record, the prosecution is required to examine only one remaining witness. In Sessions Case No.274 of 2021, the prosecution has yet to examine four witnesses. As such, both the trials are incomplete for want of continuation of evidence of the witnesses as mentioned above.

2. Learned counsel would submit that the applicant is on the verge of superannuation and is due to retire on 31.05.2026. He further submits that it is not the case that the applicant has shown any lethargy in cross-examining witnesses examined by the prosecution. His grievance is that, for one reason or another, even after calling the witness into the witness box, at least in

Sessions Case No. 138 of 2021, the evidence of the said witness could not be completed. He therefore submits that in the peculiar circumstances of the case and in light of the order dated 13.02.2025 passed by this Court in Criminal Revision Application No. 1 of 2025 with Criminal Application No. 5054 of 2024, particularly operative clause V thereof, the learned Trial Court be directed to conclude the trials within a time-bound manner.

3. Mrs. B. B. Gunjal, learned APP would fairly agree with the statement of facts made by Mr. Warma, learned counsel for the applicant with regard to the directions issued by this Court vide order dated 13.02.2025 (supra). Upon perusal of the record, she also agrees that the trial does not appear to have been adjourned at any point of time at the behest of the application.

4. In view of the above, I find that the application deserves to be partly allowed.

5. The application is accordingly partly allowed.

6. The learned Sessions Court, Ahilyanagar is requested to make every endeavor to complete the trial in Sessions Case No.138 of 2021 within a period of three (3) months from today. As also the trial in Sessions Case No.274 of 2021 is requested to be concluded within a period of eight (8) months from today.

7. The applicant reiterates that he has never sought any adjournment and undertakes that he shall not seek any adjournment.

8. With the above directions, the application stands disposed of.

**[AJIT B. KADETHANKAR, J.]**