PRACHI PRANESH NANDIWADEKAR
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Date: 2026.10.06 16:27:32 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1958 OF 2026

Dagadu @ Subhash Ashok Khandbhor (UTP) … Applicant

V/s.

State of Maharashtra …. Respondent

Mr. Shailesh Kharat a/w Mr. Onkar Chaudhari, for the Applicant.
Mr. Shahaji Shinde, 'B' Panel Counsel for the Respondent-State.
Mr. A.V. Gadekar, API attached to Vadgaon, Maval, Pune present.

CORAM : MADHAV J. JAMDAR, J.
DATED : 5 OCTOBER 2026

P. C. :-

1. Heard Mr. Kharat, learned counsel appearing for the Applicant and Mr. Shinde, 'B' Panel Counsel appearing for the Respondent-State.

2. By this application, the Applicant is challenging the legality and validity of the order dated 2 September 2026 passed below Exhibit-217 in S.C. No.478 of 2022 as also the order dated 11 September 2026 passed below Exhibit-210 in S. C. No.478 of 2022 by the learned Additional Sessions Judge, Vadgaon Maval, Dist. Pune.

3. Perusal of the record shows that Supreme Court by an order dated 27 May 2026 passed in Special Leave to Appeal No.5468 of 2026, directed the learned concerned Sessions Court to conclude the trial within a period of 6 months and further directed that in the event, trial is inconclusive within the aforesaid time-frame, Balu Maruti Gosavi i.e. petitioner in Special Leave to Appeal has been granted liberty to file a fresh bail application.

4. Mr. Kharat, learned counsel appearing for the Applicant states that Application below Exhibit-217 was filed seeking time for cross-examination of the Investigating Officer and Exhibit-210 has been filed for seeking permission to cross-examine PW-7-Prashant Vilas Dongre, who is the eyewitness (wrongly mentioned as Panch Witness in the Application)

5. Mr. Kharat, learned counsel for the Applicant states that that on 10 August 2026, the Advocate of the present Applicant was not well and, therefore, cross-examination could not be conducted. However, immediately, on 24 August, 2026, application bearing Exhibit-210 was filed seeking to cross-examine the said eye witness Mr. Prashant Vilas Dongre. He submitted that the application

below Exhibit-217 is filed seeking time to cross-examine the Investigating Officer as the said Application bearing Exhibit-210 was pending.

6. Learned APP states that as the Supreme Court has expedited the trial, therefore, the impugned order be not interferred with. He submits that the Applications are filed for delaying the trial.

7. However, perusal of the record shows that on 10 August 2026, PW 7-Prashant Vilas Dongre could not be cross examined as the learned advocate of the present Applicant who is Accused No.6 was not well. Immediately thereafter, on 24 August 2026, Application bearing Exhibit- 210 has been filed seeking setting aside "No cross" order. The time to cross examine the Investigating Officer was also sought on the same ground that aforesaid Application bearing Exhibit-210 is pending, seeking to set aside the said order and permitting cross examination of PW 7-Prashant Vilas Dongre.

8. In the facts and circumstances and the interest of justice, impugned order dated 11 September, 2026 passed by the learned Additional Sessions Judge, Vadagaon Maval, District Pune, below

Exhibit-210 in S. C. No.478 of 2022 as also the order dated 2 September, 2026 passed below Exhibit-217 in S.C. No.478 of 2022 are quashed and set aside.

9. Learned cousnel for the Applicant states that the Applicant will cross-examine the said witness Prashant Vilas Dongre as also the Investigating Officer on the very same day.

10. In view of the said contention, learned APP, on instructions, states that on 9 October 2026, steps will be taken to see that PW 7-Prashant Vilas Dongre and also the Investigating Officer remain present before the learned Trial Court for conducting the cross examination.

11. Learned counsel appearing for the Applicant states that on very day, cross-examination will be conducted of both these witnesses and no adjournment will be sought.

12. Accordingly the Application is disposed of in above terms.

13. Learned Sessions Court is requested to do the needful so that the trial will be concluded within the time granted by the Supreme Court.

[MADHAV J. JAMDAR, J.]