



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 1131 OF 2025

Arsan Khan S/o Israr Khan

-- VERSUS --

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R.M. Patwardhan, Advocate for the Applicant.

Ms. T.H. Udeshi, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 28, 2026.

The learned counsel appearing for the applicant submits that though he has raised in Paragraph Nos.8 and 9 of his application, about the delay in trial and his right in respect of speedy trial guaranteed under Article 21 of the Constitution of India, has not at all being considered by the trial Court while rejecting his bail application.

2. After perusal of the order, admittedly, it appears that the trial Court has not given its thoughtful consideration to the said aspect and on the basis of merits of the case, the application appears to be rejected.

3. In this view of the matter, the learned counsel appearing for the applicant, on instructions, seeks withdrawal of the present application, with

liberty to approach once again to the trial Court by raising specific ground so far as the delay in trial is concerned.

4. It is needless to observe that the trial Court should consider the application of applicant only on the basis of the grounds raised in the application so far as his right to speedy trial guaranteed under Article 21 of the Constitution of India, and pass appropriate order in that regard.

5. The Criminal Application is **disposed of as withdrawn**. The applicant is at liberty to file the application as was observed above. The trial Court shall decide the application on its own merits. It is needles to mention that this Court has not observed anything in respect of grant or denial of bail on the ground of delay in trial.

[M.M. NERLIKAR, J]