

ITEM NO.4

COURT NO.14

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).12690/2025

[Arising out of impugned final judgment and order dated 10-06-2025 in BA No.176/2025 passed by the High Court of Judicature at Bombay]

SHASHI ALIAS SHAHI CHIKNA VIVEKANAND JURMANI

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION)

(IA No. 204057/2025 - EXEMPTION FROM FILING O.T.)

Date : 11-11-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Ms. Sana Raees Khan, Adv.
Ms. Smiti Verma, Adv.
Mr. Pranay Shridhar Chitale, AOR
Mr. Samyak Jain, Adv.
Mr. Aditya Dutta, Adv.

For Respondent(s) Mr. Raman Yadav, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

After hearing learned counsel for the parties for some time, we are informed that even after four years of the petitioner being behind bars, charges have not yet been framed despite charge sheet having been submitted on 13.01.2022. This is really shocking. On a

query of the Court, the reason for this, as per learned counsel for the respondent-State, was that some other accused were delaying the trial. We are more shocked at the said stand taken by learned counsel for the respondent-State. On a further query, it transpires that the prosecution has not filed any application for cancellation of bail of the other co-accused, who are out on bail and who are blamed to be the reason why even charges could not be framed. Tentatively, we feel that there is collusion between the prosecution and the accused.

2. Accordingly, let an explanation come from the concerned Superintendent of Police as to why such a situation has arisen and why the prosecution has not moved any application for cancellation of bail of the other co-accused in order to ensure that the trial proceeds expeditiously.

3. Further, we feel that the Trial Court should also submit a report as to why it has not ensured that the co-accused, who are out on bail, appear, for the trial to proceed keeping in mind the fact that one of the accused, who is the petitioner before this Court, is in incarceration for four years. The said report be submitted within three weeks from today and the matter be listed on 02.12.2025, at the top of the list.

4. We make it clear that if the explanations are not satisfactory, the Court may take a strict view in the matter.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR