



SLP (Crl.) No(s).15269/2024

ITEM NO.3

COURT NO.4

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).15269/2024

[Arising out of impugned final judgment and order dated 22-07-2024 in
BA No. 2430/2024 passed by the High Court of Judicature at Bombay]

POOJA NANKAN PRASAD

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

FOR ADMISSION

IA No. 253678/2024 - EXEMPTION FROM FILING O.T.

Date : 15-01-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :

Ms. Chandni Chawla, Adv.
Mr. Anmol Kheta, Adv.
Ms. Tanya Srivastava, AOR

For Respondent(s) :

Mr. Samrat Krishnarao Shinde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard Ms. Chandni Chawla, learned counsel appearing for the
petitioner. The State of Maharashtra is represented by Mr.
Samrat Krishnarao Shinde, learned counsel.

2. It is seen that although the High Court on 22.07.2024 while
rejecting the bail, directed to frame charges and also complete
the trial in 9 months, only 1 witness has been examined out of
the cited 24 prosecution witnesses, following the framing of
charges on 31.08.2024. In the meantime, the petitioner, who is a

woman has been in custody for about 6 years and 5 months, since she was arrested on 26.09.2018.

3. Undoubtedly, allegation in the FIR are serious but the lackadaisical approach of the State is clearly discernible as it took 5 years for the State to arrange for framing of the charges. Moreover, 23 more witnesses are to be examined and taking note of the lethargical pace at which the single witness is examined in course of 6 months, the trial as can be inferred is likely to be prolonged, notwithstanding the High Court's direction on 22.07.2024.

4. An undertrial has the right of expeditious trial and is to be presumed innocent until proven guilty, on the basis of the evidence to be adduced by the prosecution. We are therefore of the view that petitioner deserves bail. Accordingly the petitioner (Pooja Nankan Prasad) be released on bail in connection with the case arising out of FIR No.679/2018. The learned Trial Court will stipulate appropriate bail condition(s) commensurate with the nature of the crime. It is ordered accordingly.

5. The direction given by the High Court for expeditious conclusion of the trial is left undisturbed.

6. With the above order, the Special Leave Petition is disposed of. Pending application(s), if any, shall stand closed.

(DEEPAK JOSHI)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR