

ITEM NO.17

COURT NO.16

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).5068/2026

[Arising out of impugned final judgment and order dated 10-02-2026 in BA No. 3577/2025 passed by the HIGH COURT OF JUDICATURE CIRCUIT BENCH AT KOLHAPUR]

PAPPU ALAIS SUHAN KISAN SONWAKAR Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA Respondent(s)

IA No. 87286/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 87287/2026 - EXEMPTION FROM FILING O.T.

Date : 13-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Anand Dilip Landge, AOR  
Mr. Jay Dip Shinde, Adv.  
Mrs. Sangeeta Nanwani, Adv.  
Ms. Revati Pravin Kharde, Adv.  
Mr. Rahul Prakash Pathak, Adv.  
Mr. Shreenivas Patil, Adv.

For Respondent(s) : Mr. Aaditya Aniruddha Pande, AOR  
Mr. Siddarth Dharmadhikari, Adv.  
Mr. Shrirang B. Varma, Adv.  
Mr. Sourav Singh, Adv.  
Ms. Chitransha Singh Sikarwar, Adv.

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

1. Issue notice. Mr. Aaditya Aniruddha Pande, learned AOR accepts and waives notice on behalf of the respondent - State.
2. This is a classic case where the right to speedy trial has been thrown to winds and clear intrusion of a litigant's right to speedy justice as enshrined under Article 21 of the Constitution of India and we say so as the facts and statistics in the instant case is a mirror to this fact. For the purpose of ready reckoning, we extract the said statistics as under:

<b>CHARGE-SHEET FILED ON</b>	<b>12.11.2021</b>
<b>TRIAL REGISTERED</b>	<b>16.11.2021</b>
<b>TOTAL DATES</b>	<b>121</b>
<b>ACCUSED NOT PRODUCED (AS PER ROZNAMA)</b>	<b>110</b>
<b>PETITIONER PRODUCED</b>	<b>10</b>
<b>COURT NOT AVAILABLE</b>	<b>16</b>

The above chart would indicate that chargesheet came to be filed on 12.11.2021 and trial was ordered to be registered on 16.11.2021 and till date, the total number of dates fixed by the trial court is 121 and accused has not been produced before Court on 110 hearings, though he is in custody since 01.07.2021 (over four years) and has been produced before Court only on ten dates of hearing. In fact, the Court itself was not functioning or available on sixteen dates of hearing as such the speedy trial has remained in mirage in the instant case.

3. Learned counsel appearing for the respondent - State is attempting to lay the fault at the doors of the accused, which cannot be countenanced by any stretch of imagination as the aforestated statistics speaks for itself and belies the statement of the learned counsel appearing for the respondent - State.

4. It is no doubt true that on certain occasions, the learned counsel appearing for the accused has remained absent.

5. We are of the considered view and it is high time, appropriate direction(s) is issued at least henceforth the right of speedy trial would become a reality. For this purpose, we permit the learned counsel appearing for the respondent - State to file appropriate affidavit in this regard by the Secretary, Department of Home, State of Maharashtra.

6. Re-list after two weeks.

7. We make it clear that after considering the said affidavit, the prayer for grant of bail would be considered taking into consideration the long incarceration of the petitioner and that too without trial having been commenced.

(NEHA GUPTA)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)