

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 274 OF 2024

Mohd. Rashid Abdul Shabbir Siddiqui

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

- Ms. Anjali Patil, for Applicant.
- Mr. Sagar R. Agarkar, APP for Respondent – State.

CORAM: MANISH PITALE, J.

DATE : 19th SEPTEMBER, 2024.

P. C. :

1. This application is called out twice for consideration. It was adjourned on 04.09.2024, for the reason that the medico-legal examination report of sexual violence at page Nos.69 to 75 of the application was not legible and the learned APP was requested to make available clear and legible copy.

2. Today the learned APP has indeed tendered a clear and legible copy of the medico-legal examination report. The same is taken on record.

3. But, despite the application being called out twice, there is no appearance on behalf of the victim – respondent No.2. Advocate Nasreen S.K. Ayubi was appointed by the High Court Legal Services Committee to appear on behalf of respondent No.2. It is noted that even on 26.08.2024, hearing of the application was required to be adjourned because Ms. Nasreen

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S.K. Ayubi could not remain present in Court. Her name is indeed shown in the cause list as appearing for respondent No.2 and yet she has failed to appear.

4. In this situation, this Court is constrained to direct that Advocate Nasreen S.K. Ayubi shall no longer appear for respondent No.2. The hearing of this application is being unnecessarily delayed because of her absence.

5. In that light, Advocate Mr. Marmik Shah, who is present in Court and has volunteered to appear on behalf of respondent No.2, is appointed to appear on her behalf.

6. The learned counsel for the applicant has agreed to provide an additional set of papers to Advocate Shah, so that as he can assist this Court. The papers shall be provided today itself.

7. List this application for further consideration on **25th September, 2024, to be included in the "Supplementary List."**

(MANISH PITALE, J.)