

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.5270 OF 2024

Rashid Noor Mohd. Shaikh @ Arbaz Chati .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Arif Khan a/w. Ms. Ruksar Shaikh, Advocate for Applicant.
 - Ms. R. V. Newton, APP for Respondent – State of Maharashtra.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 12, 2025

P.C.:

1. Heard Mr. Khan, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent – State of Maharashtra.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) seeking Bail in connection with C.R. No.861 of 2020 registered with Ghatkopar Police Station for offences punishable under Sections 307, 504, 506 and 34 of the Indian Penal Code, 1860 (for short ‘IPC’).

3. I am inclined to take up this Application for hearing because Applicant has suffered incarceration for 4 years 2 months and 2 days. According to Mr. Khan infliction of injury by Applicant on victim is qualified as a simple injury as can be seen from the medical certificate appended at page No.69.

4. Mr. Khan, learned Advocate would also inform the Court

that charge has been framed pursuant to which the matter has been listed before Trial Court on 12 dates but trial has not progressed at all.

5. *PER CONTRA*, Ms. Newton would submit that if Court is inclined to consider the Application, the gravity of the offence be considered. However Ms. Newton, learned APP would persuade me to give her some time to take instructions on the status of trial. Ms. Newton, learned APP shall inform the Court about status of the trial on the next adjourned date and Application shall be decided in accordance with law.

6. On her request Applicant is adjourned to **14th February, 2025**. To be listed under the caption '**First on Board**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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HANUMANT
SAWANT

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