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

**CRIMINAL BAIL APPLICATION NO. 344 OF 2025**

Karimsha Ahmad Shaikh

... Applicant

**Vs.**

The State of Maharashtra

... Respondent

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Ms. Sahana Manjesh, Advocate for the Applicant.

Mr. T. G. Khan, APP for Respondent/State.

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**CORAM : ASHWIN D. BHOBE, J.**

**DATE : 26<sup>th</sup> AUGUST, 2025.**

**P.C. :**

1. Heard Ms. Sahana Manjesh, learned Advocate for the Applicant and Mr. T. G. Khan, learned APP for the State.

2. By the present Application, Applicant is seeking bail in Crime No. 536 of 2020 registered with Dehuroad Police Station for the offences punishable under Sections 302 of Indian Penal Code (for short "IPC"). Said crime is registered as Sessions Case No.442 of 2022 and is pending before the Court of Additional Sessions Judge, Vadgaon Maval, Pune.

3. Applicant is the sole Accused in present crime.

4. FIR was registered on the basis of the complaint lodged by Ayan Karimsha Shaikh (Informant). Case of the prosecution is that, Applicant who is the husband of Abeda Karimsha Shaikh (deceased), committed murder of deceased Abeda by giving a blow with a sickle on

the head of deceased Abeda.

5. Applicant was arrested on 7<sup>th</sup> July, 2020. Bail Application at Exhibit-4 filed by the Applicant in Sessions Case No. 442 of 2022 was rejected by the Additional Sessions Judge Vadgaon Maval, Pune on 19<sup>th</sup> July, 2024.

6. Ms. Sahana Manjesh, learned Advocate for the Applicant, submits that the Applicant is seeking bail on the sole ground of his prolonged incarceration. She submits that the Applicant is in jail for a continuous period of almost 5 years and 1 month from the date of his arrest. She submits that though the charge was framed on 29<sup>th</sup> August, 2024, till date not a single witness has been examined in Sessions Case No.442 of 2022. She submits that the Applicant has been denied his right to speedy trial. She relies on the orders of this Court in the cases of *Vikas Chandrakant Patil v/s. State of Maharashtra*<sup>1</sup> and *Niklesh Prakash Patil v/s. State of Maharashtra*<sup>2</sup> in support of his submissions on grant of bail on ground of long incarceration.

7. Mr. T. G. Khan, learned APP for the State, does not dispute the fact of the Applicant being in jail for 5 years and 1 month. He submits that though the charge is framed in Crime No. 536 of 2020 no witnesses have been examined by the prosecution.

8. Speedy trial is one of the facets of right to life and liberty guaranteed under Article 21 of the Constitution of India. Speedy trial is an essential ingredient of “reasonable, fair and just” procedure

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1 BA No. 1963 of 2025 dated 9th May, 2025.

2 BA No. 1208 of 2025 dated 9th May, 2025.

guaranteed by Article 21 and it is the constitutional obligation of the State to devise such a procedure as would ensure speedy trial to the Accused. Applicant cannot continue to be incarcerated as an under trial, indefinitely. Ms. Sahana Manjesh is therefore justified in pressing the Applicant's right to speedy trial. It is on the sole ground of long incarceration and delay in completion of trial that this Court is compelled to enlarge Applicant on bail.

9. In view of the above, Criminal Bail Application is allowed on the following conditions:-

(a) Applicant be released on bail in Crime No. 536 of 2020 registered with Dehuroad Police Station, Pune upon furnishing PR. Bond in the sum of Rs. 10,000/-each with one or two sureties in the like amount, to the satisfaction of the Additional Sessions Judge, Vadgaon Maval District Pune.

(b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and should not tamper with evidence.

(c) Applicants upon release, within 3 days shall furnish to the Investigating Officer, Dehuroad Police Station, Pune, his residential addresses with proof and the contact numbers and to keep the Investigation Officer intimated about the change in the same from time to time.

(d) Applicant shall attend and regularly appear before the Additional Sessions Judge, Vadgaon Maval, Pune in Sessions Case No. 442 of 2022 on each date of hearing unless exempted specifically by the Court.

**10.** Criminal Bail Application No. 344 of 2025 is allowed in the above said terms.

**(ASHWIN D. BHOBE, J.)**