

Nikita

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

BAIL APPLICATION NO.1522 OF 2025

Sharukh Mohammad Farukh Khan ... Applicant

V/s.

The State of Maharashtra ... Respondent

Ms. Sana Raees Khan, a/w Mr. Sumit Sharma for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

Mr. Navnath S. API, NRI Sagari Police Station, Navi Mumbai.

CORAM : ASHWIN D. BHOBE, J.

DATED : 24th JUNE, 2025

P.C.:

1. Heard Ms. Sanna Raees Khan learned Advocate for the Applicant. Mr. P. H. Gaikwad, learned APP for the State.
2. By the present application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, Applicant is seeking bail in connection with C. R. No.136 of 2022 registered with NRI Sagari Police Station, Panvel, Navi Mumbai for the offences punishable under Sections 302, 307 read with 34 of the IPC.
3. Case of the prosecution is that on the intervening night of 25th and 26th May, 2022, the Applicant (Accused No.2) along with Salman Khan Saifee (Accused No.1) with their common intention, committed murder of their sister, by entering the house of the

deceased. Murder was committed by strangulation.

4. Applicant and Accused No.1 were arrested on 01.06.2022.

5. Ms. Sana Khan states that the said crime is now registered as Sessions Case No.77 of 2023 and is pending with the file of Additional Sessions Judge Panvel, Raigad.

6. Ms. Khan, learned Advocate for the Applicant submits that the allegations made against the Applicant and Accused No.1 in the said crime are similar and identical. She clarifies that the role assigned to the Applicant herein is identical to the role that was assigned to Accused No.1. She submits that the Accused No.1 is released on bail by this Court vide order dated 24.02.2025 in Bail Application No.4016 of 2024. She tenders the copy of the order dated 24.02.2025 passed in Bail Application No.4016 of 2024 which is taken on record and marked as "X" for identification. She seeks bail on parity.

7. Mr. P. H. Gaikwad, learned APP for the State, submits that the Applicant as well as the Accused No.1 are involved in committing a brutal murder of their sister. He submits that the Applicant and the Accused No.1 had a motive to commit murder of their sister. He states that the involvement of the Applicant and that of Accused No.1 and role assigned to both the said accused is similar.

8. I have perused the record placed before me and order dated 24.02.2025 in Bail Application No.4016 of 2024, with the able assistance of learned Advocates for the parties.

9. Perusal of the charge-sheet/FIR produced in this application indicate the role and involvement of the Applicant and that of the Accused No.1, to be similar. Applicant herein is similarly placed like that of the Accused No.1 in the said crime. This Court upon considering the allegations against the Accused No.1 has released the Accused No.1 on bail (at Exhibit-X). Applicant being similarly placed like the Accused in the said crime, Applicant would be entitled to bail on the principal of parity.

10. In view of the above, the Bail Application is allowed, on the following conditions:

- a) Applicant is directed to be released on bail in connection with C. R. No.136 of 2022 registered with NRI Sagari Police Station, Panvel, Navi Mumbai on his furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge, Raigad.
- b) Applicant shall report/ attend before the Investigation Officer NRI Police Station, Navi Mumbai on a first Saturday of every month from 11.00 am to 02.00 pm till conclusion of the trial.
- c) Applicant shall attend each and every date fixed before the Trial Court in Sessions Case No.77 of 2023, unless specifically exempted. .
- d) 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 him from disclosing the

facts to the Court or any police officer and should not tamper with evidence.

e) Applicant upon release, within 3 days shall furnish to the Investigation Officer, NRI Sagari Police Station, Panvel, Navi Mumbai his residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.

11. The Bail Application No.1522 of 2025 is disposed off.

(ASHWIN D. BHOBE. J.)