

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1601 OF 2025

Mohd. Tayyab Mohd. Najir Shaikh .. Applicant

Versus

State of Maharashtra .. Respondent

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- Mr. Sanjiv Punalekar, Advocate i/by Ms. Jyoti Ghorpade for Applicant.
 - Mr. Rushikesh M. Pethe, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 23, 2025

P.C.:

1. Heard Mr. Punalekar, learned Advocate for Applicant and Mr. Pethe, learned APP for Respondent.

2. Applicant is indicted under Sections 302, 307, 324, 385, 392, 396, 394, 141, 142, 143, 144, 147, 148, 149, 504, 506(2), 34 of the Indian Penal Code, 1860 and Section 135 of the Maharashtra Police Act, 1951 and is incarcerated for past more than 4 years 10 months 14 days.

3. Mr. Punalekar would inform the Court that prosecution evidence is completed but since there was a cross case which was registered against First Informant, the evidence in the said cross case is being completed due to which there is delay in completing the present trial.

4. Considering the imprimatur of Supreme Court that in event if there are cross-cases evidence will have to be completed and cases will have to be heard together, but if what Mr. Punalekar is submitting is true then learned APP shall take appropriate instructions and inform the precise status of trial in the present case as also in the cross-cases so that present Application can be dealt with appropriately.

5. Copy of Application has been served on prosecution.

6. One of the grievance apart from facet of long incarceration one of the principal grievance which Mr. Punalekar would submit is that all other co-accused have been enlarged on bail except Applicant.

7. Stand over to **30th April, 2025**. To be placed under the caption '**First on Board**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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