

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1679 OF 2025

Fajul Rehman Qureshi @ Kaptan Qureshi .. Applicant
Versus
State of Maharashtra .. Respondent

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- Ms. Sana Shaikh, Advocate for Applicant.
 - Mr. Sukanta A. Karmakar, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 25, 2025

P.C.:

- 1.** Heard Ms. Shaikh, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent.
- 2.** Applicant is indicted for offences punishable under Sections 302, 504 and 506 of the Indian Penal Code, 1860 and is incarcerated in prison since 2019 for 6 years. Trial has commenced but the progress is abysmally slow. Only three witnesses out of 31 probable witnesses have been examined by the prosecution until today.
- 3.** Ms. Shaikh would therefore invoke the right to speedy justice envisaged under Article 21 of the Constitution of India for seeking bail.
- 4.** On the merits, Ms. Shaikh would submit that the case of prosecution against Applicant who is the sole Accused person is based on circumstantial evidence and Test Identification parade of Accused has been conducted after four months after the date of incident.

5. She would persuade the Court to consider the case of Applicant for grant of bail in these circumstances.

6. Learned APP appearing in the matter shall take appropriate instructions and accordingly apprise the Court about the same to enable this Court to consider the Bail Application on the ground of long incarceration pending trial.

7. Stand over to **02nd May, 2025**. To be placed under the caption '**First on Board**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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