

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

**CRIMINAL BAIL APPLICATION NO. 1736 OF 2025**

Mohd Iqal Mohd Rafiq Shaikh

.. Applicant

**Versus**

State Of Maharashtra

.. Respondent

.....

- Ms. Shifa Khan a/w Mr. Avesh Qureshi i/by Wahab Khan, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for State.

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : APRIL 30, 2025**

**P. C.:**

**1.** Heard Ms. Khan learned, Advocate for Applicant and Ms. Newton, learned APP for State.

**2.** Applicant in the present case is incarcerated for the past 7 years and 4 months. Irony is that though trial has commenced and examination the examination of the Investigating Officer is still pending. I am informed by the learned Advocate for Applicant that Investigating Officer is incarcerated in the present case for the past 4 years.

**2.1.** That apart learned Advocate for Applicant would inform the Court that examination of key witnesses is over. She would also inform that according to prosecution case there is a direct evidence but notwithstanding the fact that long incarceration of the Applicant

pending trial and the ignominy of him being further protracted in present case deserves to be considered in view of fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution of India is affected. *Prima facie* aforesaid facts deserves to be taken into consideration. Above circumstances require this Court to step in.

**3.** Learned Prosecutor appearing in the matter shall ascertain the veracity of submissions made by learned Advocate for Applicant and apprise the Court on the next adjourned date. Learned Prosecutor shall ensure that he / she remain present on the next adjourned date when this matter is called out.

**4.** Stand over 7<sup>th</sup> May, 2025 (F.O.B.).

[ MILIND N. JADHAV, J. ]