

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1804 OF 2025

Sultan Mehtab Shaikh .. Applicant
Versus
The State of Maharashtra .. Respondent

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- Ms. Kajal Sarvaiya, Advocate for Applicant.
 - Mr. Hitendra J. Dedhia, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 02, 2025

P.C.:

- 1.** Heard Ms. Sarvaiya, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent.
- 2.** Applicant is *prima facie* a young offender having been incarcerated in prison since 06.01.2023 in offence punishable under Section 302 of the Indian Penal Code, 1860 (for short '**IPC**').
- 3.** Case of the prosecution is that Applicant and deceased victim being friends were consuming alcohol for more than three and half hours pursuant to which they were irked due to their relatives' taunts about their conduct that led to a verbal altercation which escalated into a physical fight resulting upon Applicant having inflicted a blow with the knife on the neck of the victim fatally.
- 4.** Ms. Sarvaiya would persuade the Court that there was no pre-meditation or plan to commit the offence and the offence occurred

at the spur of the moment when the verbal altercation between Applicant and victim due to intervention of their relatives escalated resulting into the unfortunate incident.

5. Learned APP is directed to take appropriate instructions on precise role of Applicant veracity of the submissions advanced by Ms. Sarvaiya to enable this Court to consider the Application. Considering the young age of Applicant, every endeavour shall be made to hear Bail Application as early as possible.

6. In view of paucity of time, Applicant is granted liberty to move Vacation Court also.

7. In the alternate, list the Bail Application on **10th July, 2025** on regular board for hearing and disposal.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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