

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

CRIMINAL BAIL APPLICATION NO. 4238 OF 2025

Ashmira Khatoon Vyapari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Amit Icham a/w Mr. Chaitanya Purankar, learned Advocate for the Applicant.

Mr. Dinesh J. Haldankar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 11th DECEMBER 2025.

P.C. :

1. Heard Mr. Amit Icham, learned Advocate for the Applicant and Mr. Dinesh Haldankar, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 290 of 2022 registered with Khandeshwar Police Station, District-Raigad for the offences punishable under Section 302 read with 34 of the Indian Penal Code, 1860.

3. Mr. Amit Icham, learned Advocate for the Applicant submits that the abovesaid crime is registered as Sessions Case No. 132 of 2023 and is pending before the Court of Additional Sessions Judge, Panvel-Raigad.

4. Mr. Amit Icham, learned Advocate for the Applicant submits that charge is framed in Sessions Case No. 132 of 2023. He on instructions from the Applicant craves leave to withdraw the present Bail Application with liberty to file a fresh Bail Application before the Trial Court upon the prosecution completing recording of the oral testimony of the material witnesses or in the event of change in circumstance.

5. Mr. Dinesh Haldankar, learned A.P.P. for the State/Respondent on instructions from the Investigating Officer submits that an endeavour would be made by the prosecution to examine the material witnesses at the earliest. He does not object for grant of the request made by Mr. Amit Icham, learned Advocate for the Applicant.

6. Applicant is always at liberty to file a fresh Bail Application before the Trial Court in the event of change of circumstance. If such Application is filed by the Applicant before the Trial Court on the ground of change of circumstance or upon completion of the examination/recording of the oral testimony of the material witnesses, such fresh Bail Application be considered by the Trial Court on its own merits and in accordance with law.

7. In view of the above, leave to withdraw the present Bail Application is granted. Criminal Bail Application No. 4238 of 2025 is disposed of as withdrawn with liberty as prayed.

[ASHWIN D. BHOBE, J.]