

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.53 OF 2025
IN
CRIMINAL BAIL APPLICATION NO.5339 OF 2024

Mohammed Salman Khan S/o Nasir Khan .. Applicant
Versus
Union of India and Anr. .. Respondents

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- Ms. Megha Gupta a/w. Mr. Shirish Desai, Advocates i/by Hedgehog and Fox LLP for Applicant.
 - Ms. Aruna Pai, Special Public Prosecutor for Respondent No.1 – Union of India.
 - Mr. Balraj B. Kulkarni, APP for Respondent No.2 – the State of Maharashtra.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 10, 2025

P.C.:

1. Heard Ms. Gupta, learned Advocate for Applicant; Ms. Pai, learned Special Public Prosecutor for Respondent No.1 – Union of India and Mr. Kulkarni, learned APP for Respondent No.2 – the State of Maharashtra.

2. Applicant seeks grant of interim bail for attending wedding of his younger sister which is fixed on 15.01.2025 and 16.01.2025. The ceremonies of the wedding have been fixed from 12.01.2025 onwards as can be seen from page Nos.7 to 14 as appended to the Application.

3. Ms. Pai, learned Special Public Prosecutor appearing on

behalf of Narcotics Control Bureau, Mumbai Zone, Unit on behalf of Union of India has taken instructions. She would apprise the Court by informing the Court that trial is already underway. She would submit that in that view of the matter, in the event if interim bail is granted to the Applicant there is every likelihood that he may jump bail and abscond and therefore she makes a request to the Court that if Court is inclined to pass any order in allowing the Application, the Court should consider granting the interim bail to Applicant alongwith police escort.

4. Ms. Gupta would point out the fact that Applicant is merely 36 years old. She would submit that in so far as background and credentials of Applicant are concerned, they are not stated in the Application so as to know his antecedents. On that account, Ms. Gupta would submit that prior to the incident for which Applicant was arrested, Applicant was working on a construction site. Ms. Gupta would submit that she does not have instructions and details about his background and educational qualifications either. Be that as it may, Ms. Gupta has drawn my attention to the averments made in paragraph No.5 of the Application and would persuade the Court to pass appropriate orders.

5. In view of the above, Applicant is granted interim bail from a period of 11.01.2025 to 16.01.2025. Applicant shall surrender and be brought back on 17.01.2025 by 12:00 Noon.

6. Needless to state that above order is passed alongwith police escort to be provided to the Applicant for which the Applicant shall make the prior payment / deposit as applicable in law for all six days. The escort shall follow all protocol as applicable. Applicant shall make arrangement for the stay of the escort in the same premises where the Applicant shall be housed. Charges for the escort shall be paid by Applicant immediately on server copy of this order. He shall be released on interim bail alongwith escort as directed. Charges of the escort shall be accepted on the basis of production of a server copy of this order by the Thane Superintendent of Jail / Jail Authorities / concerned authorities.

7. With the above directions, Interim Application is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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