

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.611 OF 2025

Ashiyakhatun Maqsood Ahmed Khan & Ors.

...Appellants

Versus

State of Maharashtra

...Respondent

WITH

INTERIM APPLICATION NO.2140 OF 2025

IN

CRIMINAL APPEAL NO.611 OF 2025

Ashiyakhatun Maqsood Ahmed Khan & Ors.

...Applicants

Versus

State of Maharashtra

...Respondent

Mr. Sherali S. Khan, for the Appellants/Applicants.

Ms. S. D. Shinde, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 23rd JUNE 2025

P.C.:

- 1.** Not on board. Upon mentioning, taken on board due to urgency.
- 2.** Heard Mr. Khan, learned Counsel appearing for the Appellants and Ms. Shinde, learned APP for the Respondent-State.
- 3.** Mr. Khan, learned Counsel submits that the Applicant is a woman and senior citizen of 73 years. She is bed ridden and hospitalized in Sir. J. J. Government Hospital. Due to critical medical condition of the Applicant 'Central Line Transfusion' is applied and patient is on RT feed. The Applicant is paralyzed, unable to walk, unable to talk and suffering from uncontrolled urination.

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4. Admit.
5. Record and Proceedings be called.

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6. This Interim Application is preferred for suspension of sentence and grant of bail.
7. The Applicant is a woman and is a senior citizen of 73 years. She has been taken into custody after the Judgment and Order dated 6th June, 2025 passed by the learned Additional Sessions Judge, City Civil Sessions Court, for Greater Bombay at Mumbai in Sessions Case No.539 of 2016. By the said Judgment and Order dated 6th June, 2025 she has been *inter alia* convicted for the offence punishable under Section 304B r/w 34 of the Indian Penal Code, 1860 (“**IPC**”) and sentenced to undergo imprisonment of 7 years.
8. In the facts and circumstances, the case is made out for suspension of sentence and grant of bail during the pendency of the Criminal Appeal.
9. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:

ORDER

- (a) The sentence of imprisonment imposed vide Judgment and Order dated 6th June, 2025 passed

by the learned Additional Sessions Judge, City Civil Court, for Greater Bombay at Mumbai in Sessions Case No.539 of 2016 is suspended during the pendency of Criminal Appeal No.611 of 2025, preferred by the Applicant and the Applicant is directed to be released on bail on executing PR. Bond in the sum of Rs.10,000/- with one or two sureties. For a period of 8 weeks the Applicant is permitted to furnish cash surety in lieu of surety;

- (b) On being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto;

10. Accordingly, the Interim Application is allowed in the aforesaid terms and disposed of.

[MADHAV J. JAMDAR, J.]