

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

**INTERIM APPLICATION NO.2257 OF 2025
IN
CRIMINAL APPEAL NO.82 OF 2021**

Rukaya Bahaddur Khan	Applicant
Versus	
The State of Maharashtra	Respondent

Mr. Hasan Nizami, Advocate i/b. Dr. Yug Mohit Chaudhry for the Applicant.

Ms. Geeta P. Mulekar, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.
DATE : 09th JULY, 2025**

P.C. :

1. This is an Application for permission to the Applicant to prefer separate Criminal Appeal.

2. The Applicant is the Appellant No.1 in Criminal Appeal No.82/2021. This Appeal arises out of the judgment and order dated 4.1.2021 passed in Sessions Case No.24/2018 by the learned Sessions Judge, Thane. Both of them were convicted for commission of the offence punishable under Sections 201 and 302 of IPC. They had preferred Criminal Appeal No.82/2021 which is already admitted and pending before this Court. Now, the Applicant wants to pursue her Appeal separately.

3. Considering that the Applicant has a choice to argue her case separately as there could be conflict of interest, we are inclined to allow this Application.

4. Hence, the following order :

:: O R D E R ::

- i. Interim Application is allowed.
- ii. The Applicant - Rukaya Bahaddur Khan is permitted to file a separate Appeal memo challenging the same impugned judgment and order. Her Appeal shall be separated from Criminal Appeal No.82/2021.
- iii. The cause title of Criminal Appeal No.82/2021 be accordingly amended and that Appeal be heard only on behalf of the original Appellant No.2 Sharif @ Chippi Asaraf Shaikh.
- iv. The Applicant herein shall file a separate Appeal memo. Filing of the certified copy of the impugned judgment and order is dispensed with.
- v. Once the separate Appeal memo is filed, learned counsel for the Appellant is at liberty to circulate the matter for further directions.
- vi. The Application is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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