



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPP) NO.2835 OF 2025

IN

CRIMINAL APPLICATION (BAIL) NO.940 OF 2024

Surbhi d/o Raju Soni, Futala Lake Thana, Kotwali, Dist. Jabalpur (M.P)

vs.

State of Maharashtra, TH. PSO, Railway Police Station, Gondia

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Mahesh V. Rai, Advocate for applicant.

Ms Sneha Dhote, Additional Public Prosecutor for respondent/State.

CORAM : RAJ D. WAKODE, J.

DATED : 30th December, 2025

Heard Shri Mahesh Rai, learned counsel for the applicant.

2. This application has been filed by the applicant for extension of period of temporary bail granted by this Court vide order dated 17/06/2025.

On 27/11/2024 this Court vide order passed in Criminal Application (BA) No.940/2024 had granted temporary bail to the applicant for a period of six months from the date of her release from prison on the ground that the applicant was carrying an advanced pregnancy. As the aforesaid period was to expire on 27/05/2025, the applicant approached this Court by filing Criminal Application No.1027/2025 praying for extension of temporary bail on the ground that the applicant has delivered a child on 06/12/2024 and at that time, the child was merely six months old and thus was in dire need of his mother. Further ground for grant of extension was that there was no one in the family to look after the child except the applicant. This Court on 17/06/2025 has allowed the aforesaid Criminal Application No.1037/2025 and extended the period of temporary bail for a further period of six months. The said period has expired on 17/12/2025.

3. Shri Mahesh Rai, learned counsel for the applicant has invited my attention to paragraph 5 of the application which reads thus :

*“5. That, the son of the applicant is of one year and the son is still toddler and cannot live without applicant being his biological mother and the only family member at the house is the mother of the applicant who is also working in a Saree Shop and she is the sole bread earning member of the family and if the applicant had to surrender then the child of one year will have to be left in the lap of the mother of the applicant and considering that the child is still toddler then it is not possible that the child will survive without mother i.e. applicant. So, considering the above difficulty, it is prayed before this Hon’ble court that the period for one year of Bail may be extended in the interest of justice. The copy of birth certificate of the child and other papers are annexed herewith collectively as **Annexure-A 3**.*

4. In view of the reasons stated above and the fact that the child is only one year old and there is no one to look after the child, I am inclined to pass the following order :

ORDER

- (i) Issue notice to the respondent, returnable on 09/01/2026.
- (ii) Ms Sneha Dhote, learned Additional Public Prosecutor waives service of notice for the respondent/State and undertakes to file reply by the returnable date.
- (iii) Considering the circumstances noted above, the period of temporary bail granted to the applicant is extended till 09/01/2026.

(Raj D. Wakode, J.)