

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4023 OF 2025

Khairunissa Mohiruddin Gazi @ Khairunnnisa
Safikul Sarkar

...Applicant

Versus

State of Maharashtra

...Respondents

Mr. Pranil K. Sonawane, *with Raj Chourasia*, for the Applicant.
Mr. A.S.Gawai, APP for the Respondent-State.

CORAM: R. M. JOSHI, J.
DATED: 6th MARCH, 2026.

PC:-

1. This Application is for regular bail in connection with FIR No. 0323 of 2025 dated 29th April 2025 registered with the Central Police Station, Thane Shahr, for the offences punishable under Sections 3 and 4 of the Passport Act, 1967 and Sections 7, 13, 14(A) and 14(B) of the Foreigners Act, 1946.

2. Learned counsel for the Applicant submits that the Applicant is a lady having two small children. It is his contention that since the time of her arrest in April 2025, she is in jail. It is further argued that there is no possibility of the trial being concluded in a short period of time. According to him, the minimum sentence for the offences alleged against her is two years.

3. The learned APP opposes the Application by contending that herein in this case, the Applicant is not a citizen of India and the documents of identity, i.e., Aadhaar Card and PAN Card, cannot be considered as proof of citizenship. It is submitted that instead of granting bail, the trial can be expedited.

4. Undeniably, since April 2025, the Applicant who is a lady, is in jail. Though the charge has been framed, considering the fact that there are 17 witnesses to be examined, the possibility of conclusion of trial in a short period of time does not exist. The Applicant has young children, one of whom is a girl.

5. Having regard to the fact that the Applicant is in jail since April 2025 and that there is no likelihood of the trial being concluded in a short period of time, this Court finds it appropriate to grant bail to the Applicant.

6. Hence, the Application stands allowed.

7. The Applicant be released on bail in connection with FIR No. 0323 of 2025 dated 29th April 2025 registered with the Central Police Station, Thane Shahar on furnishing P. R. Bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.

8. The Applicant is directed to attend all dates of hearing before the Trial Court unless exempted by a specific order.

9. The Bail Application stands disposed of.

(R. M. JOSHI, J.)

SHAMBHAVI
NILESH
SHIVGAN

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