

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 205 OF 2026
IN
CRIMINAL APPEAL NO. 1069 OF 2025

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Mohd. Nasim Khalil Ansari

... Applicant/Ori. Accused

V/s.

The State of Maharashtra

... Respondent

Mr. Mateen Shaikh a/w. Adv. Shoaib Shaikh, for Applicant.
Mr. V. C. Chate, APP for the State.

CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.
DATE : 16th April, 2026.

P.C.:-

- 1) This is an Application by the Applicant seeking suspension of sentence and being released on bail during the pendency of Appeal.
- 2) Heard Mr. Shaikh, learned Advocate for Applicant and Mr. Chate, learned APP for the State. Perused record.
- 3) The Applicant has been convicted for the offences punishable under Section 302 of the Indian Penal Code, 1860, for committing murder of his wife Yasmin Bano, and is sentenced to suffer life imprisonment and to pay a fine of Rs. 25,000/- by the learned Additional Sessions Judge, City Civil and Sessions Court, Greater Mumbai, by a Judgment and Order dated

30th September, 2025, in Sessions Case No. 100752 of 2020.

4) Perusal of the record indicates that, the Applicant had vices and was addicted to liquor and ganja. The Applicant was also involved in a theft case registered with Tardeo Police Station, Mumbai, being Crime No. 135 of 2019.

4.1) In the said case, he was arrested on 15th August, 2019 and was released from jail on 26th February, 2020. The Applicant and his wife were residing in a hut like shed on a footpath near a godown at Sewree, Mumbai. The Applicant reached his home at about 3:00 p.m. on 26th February, 2020 and quarreled with his wife Yasmin Bano on the ground that, she did not visit him in jail, when he was behind bars. The neighbours including Mr. Akramjan, intervened and try to pacify their quarrel. On the same day, at night at about 11:45 p.m., the Applicant again returned home and started beating the deceased. The deceased ran helter-skelter to save herself from the clutches of the Applicant. The neighbour namely Mr. Akramjan tried to pacify the Applicant. However, the Applicant did not mend his ways. In the said chaos, the Applicant has stepped on the child of Akramjan, and therefore Mr. Akramjan went to Sewree Police Station to lodge a complaint against the Applicant.

5) In the meantime, the Applicant dragged deceased Yasmin Bano from their hut towards the BPT Toll Post and assaulted her by kicking her in the stomach. Yasmin Bano collapsed at the said place. The Applicant then

lifted a heavy stone and struck it on her head. Due to the said assault, Yasmin Bano suffered fatal bleeding injuries. The witnesses, including Smt. Shayana Akram Ansari (PW No.10), who followed the Applicant, saw him assaulting his wife with the said stone.

6) Though the learned Advocate for the Applicant submitted that, Smt. Shayana (PW-10) is a partisan witness, being a neighbour and having strained relations with the Applicant, a perusal of her evidence *prima facie* indicates that, the same is fully reliable.

7) We are not in agreement with the learned Advocate for the Applicant that, merely because Shayana was a partisan witness, her evidence should not be taken into consideration. The evidence of Shayana has been duly corroborated by other material on record. It *prima facie* appears to us that the murder of Yasmin Bano was a gruesome act committed by the Applicant for trivial reasons.

8) In view of the above, we are not inclined to release the Applicant on bail during the pendency of his Appeal.

9) The Interim Application is accordingly dismissed.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)