

IN THE COURT OF SESSIONS JUDGE, AT PUNE.

(Before : Shri. A. K. Sharma)
Additional Sessions Judge, Pune.

CNR NO. MHPU010065732026	CRIMINAL BAIL APPLICATION NO. 3018/2026
	Sohel Hakik Khan
	Vs. State of Maharashtra
	Through P. S.O. P. S.Bharati Vidyapeeth in Crime No.61/2026

ORDER BELOW BAIL APPLICATION

(Passed on: 07/07/2026)

{Table as per the Judgment of Hon'ble Supreme Court of India in Criminal Appeal No.825 of 2026 [Arising out of SLP (Cri.) No.12669 of 2025] Zeba Khan Vs. State of U.P and others, 2026 INSC 144.}

(A) Case Details :

FIR Number & Date	61/2026, dated 18/02/2026
Police Station, District and State	Bharati Vidyapeeth, District- Pune (Maharashtra)
Sections invoked	Section 103(1) and 3(5) of Bharatiya Nyaya Sanhita.
Maximum punishment prescribed	Imprisonment for life for the offence punishable under section 103(2)of Bharatiya Nyaya Sanhita.

(B) Custody & Procedural Compliance :

Date of Arrest	18/02/2026
Total period of custody undergone	Since date of arrest

(C) Status of Trial :

Stage of proceeding (Investigation/Charge-sheet/Cognizance/Framing of Charges/Trial)	Investigation is going on.
Total number of witnesses cited in the charge-sheet	Nil.
Number of prosecution witnesses examined	Nil.

(D) Criminal Antecedents of Applicant/Accused No.1:

FIR No. & Police Station	Nil
Sections	Nil
Status (pending/Acquitted/convicted)	Nil

(E) Previous Bail Applications :

Court	Nil.
Case No.	Nil.
Outcome of case	Nil.

(F) Coercive Processes :

Whether any Non-Bailable Warrant was issued	No.
Whether declared a proclaimed offender	No.

The Application :

The applicant – **Sohel Hakik Khan** has moved present application for grant of regular bail vide Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) in relation to the offence noted in the table above for which maximum punishment for offence under Section 103(1) of Bharatiya Nyaya Sanhita is life.

Jurisdiction and Legal Framework :

2. This Court has jurisdiction to entertain an application for regular bail under section 483 of the BNSS.

Prerequisites factors for bail :

3. This Court has to consider the factors that generally guide in the exercise of discretion vide section 483 of the BNSS. The Court has to balance the presumption of innocence with the interest of justice and the integrity of the investigation.

Findings and the Present Case :

4. The informant lodged report alleging that initially one accidental death was registered vide registration No.15/2026 at Bharati Vidyapeeth Police Station. During investigation, the informant find that on 08/02/2026, at about 09.30 p.m., the accused No.1 to 3 took the deceased Shafiya Shaikh at Raskar Park Mangdewadi, Katraj Pune and thereafter they called other three accused and they quarrel with the deceased and pushed her in the stone query and caused her death and therefore, the informant lodged report against accused and on the basis of said report, present crime has been registered against the accused.

5. Shri. S.D. Swamy, learned counsel for the applicant/accused has submitted that the applicant/accused is innocent and not committed any offence. However, the police has falsely implicated him in the present crime. It is further submitted that the name of the applicant is not mentioned in the FIR, so also, there is no direct evidence regarding

his involvement in the present crime. However, merely on suspicion the name of applicant is added in the present crime. It is lastly submitted that the charge-sheet is already filed, the applicant is ready to abide by each and every condition for his enlargement on bail and therefore, the application may kindly be allowed.

6. *Per contra*, Shri. C.S. Salvi, learned APP has strongly resisted instant application by relying on the reply of the I.O. vide Exh.06 and submitted that other five accused along-with the applicant/accused were arrested and the investigating officer has found sufficient evidence against the involvement of all the accused in the present crime regarding causing death of the deceased. It is further submitted that though the case is based on circumstantial evidence, the prosecution has sufficient evidence to connect the nexus of all accused with the present crime. It is further submitted that the accused have committed serious offence and there is every possibility that applicant/accused will hamper and tamper the prosecution witnesses, in case, if application is admitted to bail and therefore the application is not maintainable, same may kindly be rejected.

7. Having heard learned APP and learned counsel for the applicants/accused and having gone through the reply Exh.06, it needs to be observed at the threshold that learned counsel for the applicant/accused has emphasized on the fact that there is no direct evidence to connect the nexus of the applicant/accused with the present crime. On this strength, he is claiming that applicant may kindly be

released on bail. It is pertinent to note that the learned APP has submitted that the investigating officer found sufficient evidence during investigation regarding commission of the offence at the instance of all the accused. Moreover, learned APP has submitted that there is ample evidence in the charge-sheet to establish that the accused took the deceased at the stone crusher and thereafter her dead body was found in the stone query.

8. It is important to note that the mini trial is not expected while deciding application for bail. At the same time, taking into account the submissions of learned APP at bar, that there is sufficient evidence against the applicant/accused and co-accused regarding commission of death of the deceased. In such mitigating circumstances the bare submission of learned counsel for the applicant/accused, at this juncture, is not sufficient or enough to directly jump to the conclusion that the applicant/accused has no nexus with the present crime. Accordingly, I hold that the application is devoid of merits and liable to be rejected. With these observations, in the interest of justice, I proceed to pass the following order.

ORDER

1. The application is rejected.
2. Dictated in open Court.

Date :07/07/2026.

(A. K. Sharma)
Additional Sessions Judge,
Pune.

CERTIFICATE

I affirm that the contents of this P.D.F file order/judgment are same, word to word, as per the original order/judgment.

Name of the Steno	Smt. B.J.Khandre
Court Name	(A. K. Sharma) Addl. Sessions Judge, Pune.
Date of order	07/07/2026
Order signed by the presiding officer on	07/07/2026
Order uploaded on	07/07/2026