

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3456 OF 2025

Mohammad Uvesh Javed Samim Khan ...Applicant
Versus
State of Maharashtra ...Respondents

Mr. Amol Mhatre, with Dilip Shinde, for the Applicant.
Ms. S.K.Gajare, APP for the Respondent-State.

CORAM: R. M. JOSHI, J.
DATED: 2nd APRIL, 2026.

PC:-

1. As recorded on number of occasions hereinbefore, this Court finds that statements are made on behalf of the prosecution in order to ensure that no orders are passed by the Court or that the hearing of the Applications is adjourned on one or the other count.
2. Even in the present case, on 13th March 2026, a direction was issued to the learned APP to take instructions and to make a statement with regard to progress of the trial. This direction was essential in view of the fact that the Applicant is in jail for past 3 years and 9 months for the offence punishable under Section 307 of the Indian Penal Code, 1860 ('IPC').
3. The learned APP states that since the Investigating Officer is not present, she is not in a position to make any statement with regard to the progress of the trial. The learned APP further submits

that since the matter has been taken up on production board, she could not instruct the Investigating Officer to remain present. It is necessary to take note of the fact that on the last date of hearing, the adjournment was granted for today. However, since the matter was not placed by the Registry before this Court on today's board, it was required to be taken on production board. In any case, if this is an excuse given to the Court, the Court has no other option but to give time to the APP to make such statement.

4. Hence, stand over to **6th April 2026** on her request.

(R. M. JOSHI, J.)

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signed by
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