



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2212 /2026
[@ SLP [CRL.] NO.5438/2026]

ALLAUDDIN MAHBUBSAB BABARCHI Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA Respondent(s)

O R D E R

Leave granted.

The appellant seeks bail in connection with FIR No.66/2024, dated 10.02.2024, registered at Police Station Kavathe Mahakal, District- Sangli, Maharashtra. The appellant has been chargesheeted for the offences punishable under Sections 302, 201, 120B, 109 and 34 of the Indian Penal Code, 1860.

We have heard the learned counsel appearing for the parties.

The case against the appellant is that the appellant was driving the car which was used to carry the deceased. Thereafter, the deceased was burnt to death. The motive is stated to be that

accused No.1 was having an affair with the wife of the deceased which was found out by him. Consequently, as the deceased was trying to expose accused No.1, accused No.1 along with other accused committed the offence in order to cover the illicit relationship.

Learned counsel appearing for the appellant submitted that even the prosecution witness did not implicate the appellant. Even assuming that the appellant was driving the vehicle, the same would not be sufficient to implicate him. The appellant has been under incarceration for two years and two months and the charges are yet to be framed.

Learned counsel appearing for the respondent, by placing reliance upon the counter affidavit filed, submitted that considering the nature of the allegations involved and the recovery made, there is no need for interference.

The overt act attributed to the appellant is different from that of accused No.1. Apart from

the period of incarceration already undergone, the fact remains that the charges are yet to be framed and there are about 52 witnesses to be examined.

Taking note of the aforesaid, we are inclined to grant bail to the appellant.

Accordingly, the impugned order is set aside and the appellant is granted bail on terms and conditions to the satisfaction of the concerned Trial Court.

The appeal stands allowed accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
APRIL 27, 2026.

UPON hearing the counsel the Court made
the following
O R D E R

Leave granted.

The appellant is granted bail on terms and conditions to the satisfaction of the Trial Court.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]