



C O R R E C T E D

ITEM NO.1

COURT NO.13

SECTION II-A

**S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (Crl.)
No(s).12690/2025**

**[Arising out of impugned final judgment and order dated
10-06-2025 in BA No.176/2025 passed by the High Court of
Judicature at Bombay]**

**SHASHIKUMAR ALIAS SHAHI CHIKNA VIVEKANAND
JUMRANI**

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION)

(IA No. 204057/2025 - EXEMPTION FROM FILING O.T.)

**Date : 02-12-2025 This matter was called on for hearing
today.**

CORAM :

**HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA**

**For Petitioner(s) Ms. Sana Raees Khan, Adv.
Ms. Smiti Verma, Adv.
Mr. Pranay Shridhar Chitale, AOR
Mr. Samyak Jain, Adv.
Mr. Aditya Dutta, Adv.**

For Respondent(s) Mr. Raman Yadav, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

O R D E R

Heard learned counsel for the parties.

2. The petitioner seeks bail in connection with FIR No.0303 of 2021 dated 15.10.2021, registered at P.S. Vitthalwadi, Ulhasnagar, District Thane, Maharashtra, under Sections 143, 147, 148, 149, 307, 326, 353 and 333 of the Indian Penal Code, 1860.

3. The initial allegation against the petitioner in the FIR was that he along with others, including co-accused Umesh @ Omi Bansilal Kishnani had stabbed the deceased as also, one Police Constable. However, later, the deceased, who died after two months of the incident, had clearly stated in his statement that the petitioner along with co-accused Umesh @ Omi Bansilal Kishnani had only assaulted him with fists and kicks. Further, the deceased had also stated that it was

co-accused Naresh, who had inflicted knife injury on the Police Constable. In the statement of the Police Constable-Ganesh Ashok Damale, he has not named anybody and only described the physical built of the accused.

4. Learned counsel for the petitioner submitted that the petitioner is in custody for above four years without any criminal antecedent and the co-accused Umesh @ Omi Bansilal Kishnani, who is identically situated, had been granted bail. It was further submitted that the trial is going on and out of 85 dates in the trial, on 55 dates, the petitioner was not even produced before the Court.

5. On a quick response from learned counsel for the respondent-State, the same has not been controverted.

6. We are shocked at the conduct of the State authorities. The production of an accused before the Court is not only to ensure speedy trial but more importantly, as a safeguard so that the prisoner is not abused otherwise, and he comes directly in contact with the Court so as to air his grievances if any, against the authorities. We find that there has been grave infraction of such fundamental

safeguard, which is appalling and shocking. We deprecate the same.

7. Thus, we direct the Director General of Prisons, State of Maharashtra or whoever is the designated Head of Department of Prisons, to conduct a personal inquiry into the matter and fix responsibility and take action against the persons concerned. It is made clear that if any attempt is made to protect or shield any person, the Director General of Prisons/Head of Department of Prisons to whom we are entrusting the inquiry, shall be personally held responsible for the same.

8. A report in this regard will be submitted to this Court by filing an affidavit personally affirmed by the aforesaid officer, within two months from today when the matter would be listed.

9. Coming to the merits of the present matter, we find that a case for bail has been made out. Accordingly, the petitioner be released on bail, subject to such terms and conditions as may be imposed by the concerned Court.

10. The Special Leave Petition stands disposed of. However,

for considering the personal report of the Director General of Prisons/Head of Department of Prisons, State of Maharashtra, the matter be listed on 03.02.2026.

11. Learned counsel for the respondent-State shall communicate the order to the concerned officer.

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

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR

** The name of the petitioner is corrected in terms of order passed by this Court in M.A. No.2584 of 2025 on 15.12.2025.

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