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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1868 OF 2015**

Amir Mohammed Shaikh

...Applicant

Versus

State of Maharashtra

...Respondent

Ms.R.R.Jaiswal, for the Applicant

Ms. Sharmila Kaushik, A.P.P for the Respondent-State

PSI – Sawant, D.N.Nagar Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 470 of 2015, registered with the D.N.Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 354, 354(a) & (d), 506(II), 323 of the Indian Penal Code and under Sections 8 and 12 of Protection of Children from Sexual Offences Act.

3. The victim girl is about 15 years of age. The complainant is the mother of the victim girl. She has alleged that the applicant and her daughter were known to each other as they had met a couple of months ago. She has alleged that two months prior to the incident, the applicant was stalking her daughter and was making advances towards her. She has alleged that 15 days prior to the incident, the applicant called her daughter and started threatening her. On 18th July, 2015, she has alleged that the applicant threatened her daughter by saying that he would see how she goes to college and that he will throw acid on her face. It is alleged that on 19th July, 2015, when the complainant and her daughter were walking on the road, the applicant came on a motorcycle and tapped the victim on her head. It is alleged that the applicant was continuously stalking her daughter and had made it impossible for her daughter to leave the house.

4. Learned Counsel for the Applicant relied on certain documents, in support of her contention to show that the victim girl and the applicant were in love with each other.

5. Learned APP states that charge-sheet in the present case has

been filed on 16th September, 2015. She states that considering the fact that charge-sheet is filed, it would be appropriate, if the applicant approaches the Trial Court, after filing of the charge-sheet.

6. Considering the fact that charge-sheet is filed, I am not inclined to entertain this application and reject the application on that very ground. The application is accordingly disposed of. The applicant is at liberty to file an application for bail, after filing of the charge-sheet.

7. It is made clear, that this application has not been considered on merits, and if an application for bail, after filing of the charge-sheet, is filed, the trial Court shall consider the same on its own merits, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/order.
