

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1832 OF 2016**

1. Mohd. Saleem Shabbir Ali Sayed,  
Age: 39 years, Occu: Service
2. Chintu @ Amir Ali Shabbir Ali Sayed,  
Age: 33 years, Occu: Business
3. Sayed Mohammad Shakil Shabbir Ali,  
Age: 40 years, Occu: Business

All R/o. Shriram Nagar, Nandurbar,  
Taluka and District Nandurbar

..APPLICANTS

VERSUS

1. The State of Maharashtra
2. The Police Inspector,  
Upanagar Police Station, Nandurbar,  
District Nandurbar

..RESPONDENTS

Mr H. V. Tungar, Advocate holding for Mr C. R. Deshpande, Advocate for applicants;  
Mr C. V. Dharurkar, Addl. Public Prosecutor for respondents  
Mr Pawan B. Pawar, Advocate to assist Addl. Public Prosecutor

WITH  
**CRIMINAL APPLICATION NO. 1693 OF 2016**

1. Abdul Rafiq Abdul Salam,  
Age: 30 years, Occu: Business
2. Abdul Atik Abduk Salam,  
Age: 34 years, Occu: Business
3. Abdul Haquik Abdul Salam,  
Age: 36 years, Occu: Business,

All R/o. Plot No. 73, Shriram Nagar,  
At/Post/Tal/Distt. Nandurbar

..APPLICANTS

(2)

VERSUS

1. The State of Maharashtra,  
Through Police Station Officer,  
Nandurbar Upnagar Police Station,  
Nandurbar
2. The Superintendent of Police,  
Nandurbar, Dist. Nandurbar ..RESPONDENTS

Mr Pawan B. Pawar, Advocate for applicants;  
Mr C. V. Dharurkar, Addl. Public Prosecutor for respondents  
Mr H. V. Tungar, Advocate holding for Mr C. R. Deshpande, Advocate to  
assist Addl. Public Prosecutor

**CORAM : N.W. SAMBRE, J.**

**DATE : 11th August, 2016**

**ORAL ORDER :**

By these applications under section 438 of the Code of Criminal Procedure, the applicants in Criminal Application No.1832 of 2016 seek their release on pre-arrest bail, in connection with C.R. No.18 of 2016, registered with Upnagar police station, Nandurbar, for offences punishable under sections 394, 442, 323, 504, 506 read with section 34 of the Indian Penal Code, whereas the applicants in Criminal Application No. 1693 of 2016 seek their release on pre-arrest bail, in connection with C. R. No. 19 of 2016, for offences punishable under sections 354-D, 392, 341, 448, 323, 504, 506 read with section 34 of the Indian Penal Code and under sections 8, 11(1),(4) of the Protection of Children from Sexual Offences Act.

(3)

2. It is brought to my notice that there is a counter first information report registered against the complainant vide C.R. No.19 of 2016, for offences referred supra.

3. It is then to be noted that the parties to both these crimes , i.e. C.R. Nos.18 of 2016 and 19 of 2016 have arrived at settlement, as pursuant to the orders of this Court dated 18<sup>th</sup> March, 2016 and 5<sup>th</sup> April, 2016, *ad interim* protection is granted to the applicants-accused.

4. As the parties have claimed that they have settled the matter and would take up appropriate proceedings to that effect before the Division Bench, in my opinion, it will be appropriate to allow both applications by confirming the *ad interim* protection.

5. In view thereof, Criminal Applications stand allowed on the same terms incorporated while granting *ad interim* protection vide orders dated 18<sup>th</sup> March, 2016 and 5<sup>th</sup> April, 2016, respectively.

**(N.W. SAMBRE, J.)**

amj