

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1982 OF 2018

Smt.Yasmeen Farid Khan, Age 58 years,
Occ.Household, R/o.44, Maulana Baba Dargah Lane,
Behind Jama Masjeed, S.V.Road,
Bandra (W), Mumbai Applicant
versus
The State of Maharashtra Respondent

Mr.Pritesh K. Bohade for applicant.
Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 26th September 2018

PC :

1. This is an application for anticipatory bail. The offence is registered with Bandra Police Station vide CR No.443 of 2018 for offences under Sections 452, 509, 324, 506(2) of Indian Penal Code.

2. The complaint was lodged on 17th August 2018. It is alleged that accused is the neighbour of complainant and she is creating terror in the area. The accused had obstructed the complainant from passing through the road, which is situated across the house of accused. She used to abuse the complainant repeatedly. There are several NC complaints lodged against the accused-applicant. On 17th August 2018, while the complainant was proceeding for work, the accused was washing the clothes on road and had obstructed the complainant. The accused abused the complainant in filthy language and threatened her. The complainant informed about the incident to

her mother. She was followed by accused in her house. She entered in the house with wooden stick and assaulted the complainant. She also threatened her by saying that she is the don of area and she will implicate them in false case or would kill them and the FIR was lodged.

3. The advocate for applicant submitted that the applicant has been falsely implicated in this case. The applicant was suffering from jaundice during the period between 8-8-2018 and 23-8-2018. There is no evidence in the form of CCTV footage to corroborate the incident. There is no injury certificate.

4. Learned APP submitted that the applicant is terrorizing the neighbours. About four NC complaints are registered against the applicant by the people residing in the vicinity. Another case has been registered vide CR No.595 of 2018 against the applicant on 12th November 2016 for offences under Sections 447, 448, 354, 504, 506, 323 and 34 of Indian Penal Code. It is submitted that considering the conduct of the applicant and in the antecedents, anticipatory bail may not be granted to her. Learned counsel for applicant submitted that in the other case, the applicant is on bail. Thus, apparently while on bail, the applicant is involved in present case. Considering the nature of allegation, the history of several complaints lodged against her and pendency of one case against the applicant, case for grant of anticipatory bail is not made out. Accordingly, Criminal Anticipatory Bail Application No.1982 of 2018 is rejected.

(PRAKASH D. NAIK, J.)