

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2502 OF 2018

Aslam Salim Shaikh

Applicant

versus

The State of Maharashtra

Respondent

Mr.Mateen Shaikh with Adeeba Khan for applicant.

Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 6th December 2018

PC :

1. This is an application for anticipatory bail in connection with CR No.239 of 2018 registered with Shanti Nagar Police Station, Bhiwandi for offences punishable under Sections 324, 452, 323, 504, 506, 34 of Indian Penal Code and Sections 37(1) and 135 of Bombay Police Act. Except the offence u/s 452 of IPC, all other offences are bailable. The case of prosecution is that the sister of applicant is married to the complainant on 16th November 2008 as per Muslim rituals. There is matrimonial dispute between the complainant and sister of the applicant. It is alleged that on 11th August 2018 the accused who are related to complainant visited his house. There was quarrel on account of matrimonial dispute. Complainant's brother-in-law assaulted him by iron rod and other brother-in-law assaulted by bamboo stick and their friend assaulted by some weapon. Complainant's mother and sister who had intervened, were also assaulted by fist blows. During scuffle, complainant's mother lost her mangalsutra. It appears that there are matrimonial proceedings pending before the Family Court. The brother of the applicant was

arrested and was granted bail on the same day. Statements of witnesses are recorded. Taking into consideration the nature of dispute, custodial interrogation of the applicant is not necessary. Hence, case for grant of anticipatory bail is made out.

2. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicant, the applicant be released on bail in connection with CR No.239 of 2018 registered with Shanti Nagar Police Station, on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (ii) The applicant shall report the investigating officer of Shanti Nagar Police Station as and when called for;
- (iii) Criminal Anticipatory Bail Application No.2502 of 2018 stands disposed off.

(PRAKASH D. NAIK, J.)

MST