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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.2749 OF 2019

Mohd. Nasir Mohd. Munir Khan	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms.Neha N. Chhajalane, for the Applicant.

Ms. P. P. Shinde, A.P.P for the Respondent - State.

API – Kalyani Kasode, Chunabhatti Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th OCTOBER, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.227 of 2019 registered with the Chunabhatti Police Station, Mumbai, for the alleged offences punishable under Sections 353, 337, 323, 427, 504, 506(II) of the Indian Penal Code.
3. Perused the papers. According to the complainant – Police Constable, Anil Ghogale, he was on duty on 20th August, 2019, when he received information from Mobile 03 that one person was destroying

household articles. Pursuant thereto, the complainant with the help of Mobile 01 staff reached the said place i.e. Nazamabee Mohammad Munir Chawl/Building, 3rd floor, Room No.01, Qureshi Nagar, Mumbai. According to the complainant, when they reached the said spot, they saw the applicant destroying the articles in the house and breaking windows and doors. He has stated that because of the same, the applicant injured himself. The complainant has stated that when he tried to stop the applicant, the applicant abused him and his staff and started hitting his head on the wall and tried to trap them in a false case. Thereafter, the complainant and other staff persons rescued the applicant, pursuant to which, the applicant is alleged to have kicked the complainant. Learned APP states that the complainant has received an abrasion in the said incident. The medical certificate of the applicant is not on record. According to the learned counsel for the applicant, the applicant is the landlord of the said building i.e. Nazamabee Mohammad Munir Chawl/Building, 3rd floor, Room No.01, Qureshi Nagar, Mumbai. She submits that as a landlord the applicant had issued maintenance receipts to all the tenants including his sister, however, all the tenants were refusing to make payments. She submits that pursuant thereto, there was a fight in which the tenants assaulted the applicant. She submits that the applicant has sustained injuries in the said incident. According to the learned counsel,

after the incident, the police came and arrested the applicant. The applicant is in custody since August, 2019. Investigation is almost complete and charge-sheet is likely to be filed in two days.

4. Considering the aforesaid, the application is allowed on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/-with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. and 11:00 a.m., for a period of 24 months from the date of his release;
- iii) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima*

facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.