

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.21 OF 2020

Salim Mohd. Bashir Qureshi	Applicant
versus	
The State of Maharashtra and another	Respondent

Mr.Kiran Varma i/by Mr.R.B.Mungekar, Advocate for applicant.
Mr.S.R.Agarkar, APP, for State.
Mr.S.T.Chavan, Police Inspector, Nirmalnagar Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th September 2021

PC :

1. This is an application for anticipatory bail in CR No.404 of 2019 registered with Nirmal Nagar Police Station for offences under Sections 307, 341, 142, 143, 145, 146, 147, 148, 504 and 120-B of Indian Penal Code.

2. The FIR was registered on 6-12-2019. The case of complainant is that the applicant had demanded money from the complainant on account of pending dues of the applicant. The applicant was accompanied by his associates and at his instance the co-accused Sufiyan had abused and threatened the complainant. The other persons caught hold of the complainant. Sufiyan was armed with knife and he threatened the members of public with help of knife. Sufiyan then assaulted the complainant by using knife, causing injury to the ribs.

3. The applicant had preferred application for anticipatory bail before Sessions Court which has been rejected by order dated 31-12-

2019. The contention of applicant is that injuries were of simple nature. The applicant is not the author of injuries. The applicant has been falsely impleaded in this case. Interim protection was granted to the applicant vide order dated 11-2-2020. The applicant has also contended that the complainant had filed an affidavit before Sessions Court stating that there is amicable settlement between the parties.

4. Learned APP submitted, on instructions from the officer who is present in Court, that investigation proceeded and charge sheet has been filed against applicant. He produced the final report relating to the charge sheet. Considering the factual aspects as stated above, and also considering the fact that charge sheet is filed, the applicant need not be subjected to custodial interrogation. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 11-2-2020 is confirmed;
- (iii) In the event of arrest of applicant in CR No.404 of 2019 registered with Nirmal Nagar Police Station, Mumbai, the applicant be released on bail on his executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(PRAKASH D. NAIK, J.)

MST