

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.549/2021

Shaikh Anwar Shaikh Jumma Qureshi and ors. .vs. State of Maharashtra
through PSO P.S. City Police Station, Dist. Chandrapur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. V. Sirpurkar, Advocate for applicants.
Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 8, 2021

Heard Mr. Sirpurkar, learned counsel for applicants, who are apprehending their arrest in connection with Crime No.381/2021, registered with Police Station, Nandura, Dist. Buldhana for the offence punishable under Section 395 of the Indian Penal Code and Sections 3 and 25 of the Arms Act.

This Court (Coram: Vinay Joshi, J.) on 30.08.2021 has granted interim protection to applicants on a condition that they shall attend police station on every alternate day. Insofar as this condition is concerned, there is no complaint from the prosecution side that the applicants have violated the condition.

The FIR is lodged by Tahir Ahmad Jamir Ahmad. Perusal of the FIR would show that role attributed to present applicants is that they have assaulted the complainant by fist blows. Insofar as snatching of mobile and other valuables are concerned, that role is not attributed to the present applicants.

In view of the fact that there are no allegations against applicants that they have snatched the valuable of complainant and allegations of only assault are there, in my view, custodial presence of the present applicants is not necessary. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant no.1-Shaikh Anwar Shaikh Jumma Qureshi, applicant no.2-Shaikh Asif Shaikh Bafati Qureshi and applicant no.3-Sohail Ahamahd Shaikh Imam Qureshi be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.
- (iii) The applicants shall attend Police Station, Nandura as and when they are directed by the Police Station Officer. However for that purpose, investigating officer shall give clear cut 72 hours prior notice to the applicants.

The application is disposed of.

JUDGE

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