

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1376 OF 2022**

Shahnawaz Shahid Qureshi .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr. Norbert D'Souza for the applicant.
Ms. Anjali Awasthi for the informant.
Mr. S.V. Gavand, APP for the State.
PSI Shri R.R. Dhumal from BKC police station.

**CORAM: BHARATI DANGRE, J.
DATED : 3rd AUGUST 2022**

P.C:-

1 The applicant came to be charge-sheeted for the offence punishable u/s. 307, 323, 326, 504, 188, 269 r/w Section 34 IPC and Section 51D of the National Disaster Management Act, 2005 along with Section 135 of the Maharashtra Police Act.

2 The C.R. came to be registered on the basis of a complaint, alleging that an incident took place on 2/5/2021 and the applicant assaulted the complainant Amin, by means of a knife.

3 The learned counsel for the applicant and the learned counsel for the complainant who are present before the Court

state that a Criminal Writ Petition St No.10077/2022 is instituted before this Court, seeking quashment of the FIR, in which the complainant has filed an affidavit, giving a 'No Objection' to quash the subject C.R, by stating that a complaint was lodged on account of misunderstanding and now, they have got themselves rid of hatred, enmity in their minds and restored the friendship. The Writ Petition is pending for adjudication before the Division Bench.

4 Since the discord between the parties is amicably settled and there is every possibility that on the No objection being accorded by the complainant, the subject C.R will be quashed.

5 As far as the present applicant is concerned, since the investigation is complete and charge-sheet is filed, further incarceration of the applicant is unnecessary, particularly in the wake of the above, that the settlement has been effected between the parties. The applicant therefore, deserve his release on bail.

6 The learned APP do not dispute the said statement made by the learned counsel for the applicant. Hence, the following order :-

ORDER

- (a) The Applicant - Shahnawaz Shahid Qureshi in connection with C.R.No.164/2021 registered with Bandra Kurla Complex Police Station shall

be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant should not tamper with evidence.
- (c) The Applicant shall mark his attendance on 1st Monday of trimester till framing of charge.

7. The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)