

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1751 of 2022

Mohd.Shamim Mohd.Yameen Qureshi .. Applicant

Versus

The State of Maharashtra .. Respondent

...

Mr. Rajesh Khobragade with Raj S. Gupta for the applicant.
Ms.A.A. Takalkar, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 30th JUNE, 2022

P.C:-

1 On 4/10/2021, the learned counsel for the applicant sought withdrawal of the application on the pretext that the complainant was intending to file a petition for quashing of the FIR.

Recording that the applicant shall not be arrested for three weeks, his application was disposed off.

2 The learned counsel make a statement that the complainant has already filed a Petition for quashing of the subject FIR by filing APL No. 1093/2021 which is pending before this Court and he make a categorical statement that he is unable to get his petition listed. Since the protection in his favour has expired after three weeks from 4/10/2021, he apprehend his arrest in C.R.No.520/2021 at the hands of the officials from

Dongri police station.

3 The applicant has placed on record the order passed in respect of the co-accused Mohd.Maqsood Mohd.Qureshi on 24/9/2021. The co-accused came to be released on bail in the event of his arrest in the wake of the consent terms executed between the parties and on assurance the Court recorded that, the dispute is amicably settled between the parties and complainant who was present before the Court, gave an undertaknig that they would be moving quashing proceedings before the Court, and taking into account the same, the protection was granted.

4 The aforesaid direction also apply to the present applicant, since if the complainant is ready to settle the matter and the parties have assured the Court, to that effect, there is no reason why the custodial interrogation of the applicant is warranted by the Investigating Officer. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant - Mohd.Shamim Mohd.Yameen Qureshi in connection of C.R.No.520/2021 registered with Dongre police station shall be released on bail on furnishing P.R. bond to the extent of Rs.50,000/- 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 and should not tamper with evidence.
 - (c) The Applicant shall make himself available for interrogation as and when required by the Investigating Officer.
- 5 The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)