

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.521 OF 2022

Shekh Kayum S/o Shekh Yusuf and another

Versus

State of Maharashtra, through P.S.O., P.S. Pathrot, Tq. Achalpur, Dist. Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.M. Vaishnav, Advocate for the applicants.

Shri T.A. Mirza, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 12/08/2022

1. After hearing the learned counsel for the applicants for some time and on expressing that this Court is not inclined to grant bail to applicant No.1, on instructions, seeks permission to withdraw the present application *qua* the applicant No.1 - Shekh Kayum S/o Shekh Yusuf.

2. Permission is granted to withdraw the application *qua* the applicant No.1 - Shekh Kayum S/o Shekh Yusuf.

3. As far as the applicant No.2-Najmabi W/o Shekh Nayum is concerned, the only allegation against the applicant No.2 is that she abused the complainant. However, no overt act is attributed to her because of which any injury was caused to the complainant.

4. Thus, considering the role attributed to the applicant in the alleged offence, I am of the opinion that her custodial interrogation is not necessary.

5. Even on perusal of the case diary except the allegation that she abused the complainant, nothing is revealed. In that view of the matter, I pass the following order:

- a) It is directed that, in the event of arrest of the applicant No.2-Najmabi W/o Shekh Nayum in Crime No.172 of 2022, registered with Police Station Pathrot, District: Amravati (Rural), for the offences punishable under Sections 323, 326, 504 and 506 read with Section 34 of the Indian Penal Code, she shall be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.
- b) The applicant No.2 shall attend the concerned Police Station as and when her presence is required.
- c) The applicant No.2 shall not tamper with the prosecution witnesses.

[ANIL S. KILOR, J.]