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..APPLICANTS

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. B. M. Chavan, PSI, Thane Nagar Police Station is present.

DATE : JANUARY 4, 2023.

P.C. :

- 1.** Heard learned counsel for the applicants.
- 2.** This is an application for pre-arrest bail in respect of an offence punishable under Sections 326, 324, 323, 504, 147, 148 and 149 of the Indian Penal Code, 1860 (hereafter "the IPC", for short) in connection with C.R. No.216 of 2022 dated 28/11/2022 registered with Thane Nagar Police Station.
- 3.** The FIR was registered by the complainant-Nakib Sikandar Memon. There appears to be some monetary disputes between the complainant and the applicants/other

accused. It is alleged that on 27/11/2022 at about 11.30 p.m., the applicants and other accused assaulted the complainant. There are cross complaints registered by the two groups against each other. There is no specific role assigned to the applicants. The main assailant accused No.1-Arfad Memon has been granted regular bail. While granting him regular bail, the Chief Judicial Magistrate, Thane has recorded that the informant Nakib Sikandar Memon filed an affidavit on 15/12/2022 and stated that he has lodged the report against accused under the misconception. Further, other accused No.2-Faizan Firoz Memon has been granted regular bail.

4. Advocate for the complainant appeared and submitted that there was some misunderstanding between the parties and the matter is settled. The alleged offence under Section 326 of the IPC is serious in nature. As the main accused has been released on bail and there is no specific role attributed to the present applicants, in the facts of the present case, the applicants can be granted pre-arrest bail as their custodial interrogation is not required.

5. Hence, the following order :-

ORDER

(i) In the event of arrest of the applicants in connection with C. R. No.216 of 2022 registered with Thane Nagar Police Station, they shall be released on their furnishing a P.R. bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.

(ii) The applicants to report to the concerned police station on 09/01/2023, 10/01/2023 and 11/01/2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.

(iii) The applicants to co-operate with the Investigating Officer.

(iv) The applicants to furnish details of their residential addresses and contact numbers to the Investigating Officer.

(v) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

6. Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)