

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO.30 OF 2023**

Sugra Salim Ahamed Siddiqui and ors.      ..Applicants

VS.

The State of Maharashtra      ..Respondent

Ms. Kavita N. Durgapal a/w Mr. Manoj R. Gowd for the Applicants.

Mr. S. H. Yadav, APP for the State.

Mr. Prakash Ghadge, PSI, Dharavi Police Station is present.

**CORAM : M. S. KARNIK, J.**

**DATE : JANUARY 12, 2023**

**P.C. :**

**1.** Heard learned counsel for the applicant and learned APP for the State.

**2.** This is an application for bail in connection with C.R. No.1331 of 2022 dated 07/12/2022 registered with Dharavi Police Station under Sections 326, 504, 506 read with 34 of the Indian Penal Code, 1860.

**3.** The date of the incident is 06/12/2022. The FIR is registered on 07/12/2022 with Dharavi Police Station. It is the allegation that in respect of some dispute regarding parking of a two wheeler, there was an altercation between

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the applicants and the complainant. It is alleged that applicant No.3-Gulam Hussain Mohammed Raza Shaikh assaulted the complainant with a bamboo stick. The complainant suffered fracture injury on his leg. I have seen the medical certificate.

**4.** Learned counsel for the applicant submitted that the bamboo stick is already recovered and the custodial interrogation of the applicants is not required. Learned counsel for the applicant further submits that there are no criminal antecedents reported against the applicants.

**5.** Considering the nature of the injuries on person of the complainant and the role assigned to the applicant No.3, in my opinion, the application filed by the applicant No.3 deserves to be rejected. I am not impressed with the submission of learned counsel for the applicant that there are cross cases filed considering the manner in which the incident has taken place and injuries suffered by the complainant. So far as the complaint filed by the applicant side is concerned, the same will be taken to its logical conclusion.

**6.** As regards the applicant Nos.1 and 2 are concerned, they are closely related to applicant No.3. The role assigned to them is that of verbally abusing the complainant and his wife. Though, there is an allegation that the complainant's wife was assaulted by the applicant Nos.1 and 2 with a bamboo stick, there are no injury marks on the person of the wife of the complainant. In this view of the matter, the custodial interrogation of the applicant Nos.1 and 2 is not required.

**7.** Hence the following order.

**ORDER**

(a) Application is allowed so far as applicant No.1- Sugra Salim Ahamed Siddiqui and applicant No.2-Noor Bano Sagheer Ahmed Siddiqui is concerned. The application of the applicant No.3 stands rejected.

(b) In the event of arrest of the applicant No.1- Sugra Salim Ahamed Siddiqui and applicant No.2-Noor Bano Sagheer Ahmed Siddiqui in connection with C.R. No.1331 of 2022 registered with Dharavi Police Station, they shall be released on bail on their furnishing P.R. bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.

(c) The applicant Nos.1 and 2 shall report to the

concerned police station as and when called.

(d) The applicant Nos.1 and 2 to co-operate with the Investigating Officer.

(e) The applicant Nos.1 and 2 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.

(f) The applicant Nos.1 and 2 shall furnish the details of their residential addresses and phone numbers to the investigating officer.

**8.** The Anticipatory Bail Application stands disposed of.

**(M. S. KARNIK, J.)**