

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

ANTICIPATORY BAIL APPLICATION NO. 40 OF 2023

Shabana Salim Qureshi	..Applicant
VS.	
The State of Maharashtra	..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 58 OF 2023**

Faizan Salim Qureshi	..Applicant
VS.	
The State of Maharashtra	..Respondent

Adv. Rajesh Khobragade a/w Adv. Abhijeet Naik a/w Adv.
Aakash Tayade for the Applicants.

Ms. P. N. Dabholkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 12, 2023

P.C. :

- 1.** Heard learned counsel for the applicants and learned APP for the State.
- 2.** Learned counsel for the applicants, on instructions, seeks leave to withdraw the **Anticipatory Bail Application No. 58 of 2023**.
- 3.** The application is allowed to be withdrawn and disposed of accordingly.

ANTICIPATORY BAIL APPLICATION NO.40 OF 2023

4. This is an application for pre-arrest bail. The applicant - Shabana Salim Qureshi is apprehending arrest in connection with C.R. No. 1175 of 2022, registered with Nirmal Nagar Police Station, for the offence punishable under sections 323, 324, 326, 504, 506 read with 34 of the Indian Penal Code, 1860.

5. It is alleged in the First Information Report dated 13/12/2022 that the applicant along with Yusuf, Faizan and Salim, rushed towards the complainant and assaulted him with fist and kick blows. Thereafter, some relatives tried to intervene. The co-accused- Salim then assaulted the complainant with a knife. It is alleged that the even Faizan assaulted the complainant. So far as the applicant is concerned, role assigned is that she had rushed towards the complainant. Others had scuffled with the complainant.

6. The applicant is a woman. There are no criminal antecedents reported against the applicant. Learned APP opposed the application and further submitted that if the applicant released on anticipatory bail, this will create a law and order situation as there are frequent quarrels between

these 2 groups in the area. The record reveals that the applicant has suffered a jaw line fracture. There is a cross case filed by the applicant. Learned counsel for the applicant further submits that, if this court grants anticipatory bail, the applicant is ready to reside outside the area of Bandra (E) for a certain period of time. The applicant therefore can be granted pre-arrest bail. Hence, the following order.

ORDER

(a) In the event of arrest of the applicant in connection with C.R. No. 1175 of 2022, registered with Nirmal Nagar Police Station, the applicant-Shabana Salim Qureshi, be released on bail on her furnishing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in 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 report to the Investigating Officer of the concerned Police Station on 16/01/2023 between 11.00 am and 01.00 pm. and thereafter as and when required;

(d) The applicant shall co-operate with the investigation;

(e) The applicant shall stay outside the area of Bandra East for the period of 1 month from 16/01/2023.

7. The application is allowed in the aforesaid terms.

(M. S. KARNIK, J.)