

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

ANTICIPATORY BAIL APPLICATION NO.1352 OF 2023

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1. Abdul Sajjad Abdul Razzak Khan
2. Abdul Irshad Abdul Razzak Khan
3. Mrs. Saira Abdul Sajjad Khan
4. Mrs. Shamima Bano Abdul Sajjad
Khan

...Applicants

Versus

The State of Maharashtra and Anr.

...Respondents

...

Mr. Arun R. Gupta with Mr. Pradeep Sawant for the Applicants.
Mr. S.V. Gavand, APP for the Respondent No.1-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 4th MAY, 2023.

P. C. :-

1. The Applicants apprehend their arrest in C.R. No.149 of 2023 registered with Wadala T.T. Police Station, Mumbai, for the offences punishable under Sections 452, 427, 380, 323, 504 and 506 r/w 34 of the IPC.

2. Heard Mr. Arun Gupta, learned counsel for the Applicants and Mr. S.V. Gavand, learned APP for the Respondent No.1-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The records indicate that there is a property dispute between the First Informant and the Applicants, who are related to each other. It is

alleged that on 8/9th April, 2023 the Applicant No.1, who is nephew of the First Informant came to his house and started quarreling with him over the property dispute. He claims that he damaged his refrigerator as well as door of the house and threatened to cause his death.

4. The records reveal that there is previous dispute between the parties. The Applicants herein have also lodged complaint against the First Informant and his family members. There is also delay in lodging the FIR. Considering this aspect and the nature of accusations, this would not be a fit case to justify custodial interrogation.

5. Under the circumstances, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicants C.R. No.149 of 2023 registered with Wadala T.T. Police Station, Mumbai, the Applicants are ordered to be released on bail on furnishing PR bonds in the sum of Rs.25,000/- each with one or two sureties to the like amount;

(ii) The Applicants shall report to the concerned Investigating Officer for a period of two days i.e. 08/05/2023 and 09/05/2023 between 11.00 a.m. to 2.00 p.m. and thereafter as and when

required by the Investigating Officer;

(iii) The Applicants shall not tamper with the prosecution evidence and or influence the witnesses in any manner.

(iv) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)