



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

ANTICIPATORY BAIL APPLICATION NO.2020 OF 2023

Noor Mohammad Jalaluddin Rukundi @ Noor Shaikh ... Applicant
versus
The State of Maharashtra ... Respondent

Mr. Sunny A.Waskar with Ms Harshada Morey, Mr. Shamish Marwadi i/by Mr. Manish Kanojiya, for Applicant.

Mr R.M.Pethe, APP for State.

Mr. Sandeepan Ubale, AP Samta Nagar Police Station, present.

CORAM: N.J.JAMADAR, J.

DATE : 6 SEPTEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.424 of 2023 registered with Samta Nagar Police Station for the offences punishable under Sections 323, 509, 504, 392 of the Indian Penal Code.
3. When the application was listed before this Court on 25 July 2023, this Court was persuaded to grant Interim protection to the applicant.
- 4 The learned Counsel for the Applicant submits that pursuant to the interim order, the applicant had attended Samta Nagar Police Station.
5. The learned Counsel further submitted that the applicant has been falsely roped in after an altercation ensued, during the course of which the applicant

was assaulted. Attention of the Court was invited to the injury certificate which indicates that on the day of the occurrence, the applicant had narrated history of assault by 2-3 persons.

6. The learned APP, on the other hand, submitted that on the day the interim relief was granted in favour of the applicant, the applicant allegedly threatened the husband of the first informant and a NC complaint has been registered.

7. Having regard to the nature of the accusation, further custodial interrogation of the applicant does not seem to be warranted. I am, therefore, persuaded to make the interim order dated 25 July 2023 absolute. The apprehension on the part of the prosecution can be taken care of by imposing conditions.

8. Hence, the following order :

ORDER

(i) The Application stands allowed.

(ii) The interim order dated 25 July 2023 is made absolute on the same terms and conditions incorporated therein.

(iii) The Applicant shall not contact the first informant, her husband and any other person acquainted with the facts of the case and shall not give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the

jurisdictional Court.

(v) In the event of breach of any of the conditions, the bail shall be liable to be cancelled.

(N.J.JAMADAR, J.)