

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3630 OF 2022

Hasim Ali Qureshi @ Subba Ibrar Ali ...Applicant

vs.

The State of Maharashtra ...Respondent

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Ms. Ruchi Singh, i/b. Raees Khan, for the Applicant.

Mr. S.V. Gavand, APP, for the Respondent State.

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CORAM : ANUJA PRABHUDESSAI, J.

DATE : 19 APRIL 2023

P.C.:

This is application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant for pre-arrest bail in Crime No.674 of 2021 registered with R.C.F. Police Station, Mumbai, for offences punishable under Sections 307, 326, 504, 506(2) r/w34 of the IPC.

2. Heard Ms. Ruchi Singh, learned Counsel for the Applicant, Mr. S.V. Gavand, learned APP for the Respondent State. I have perused the records and considered the submissions advanced by learned Counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR

lodged by Mukhtar Hamid Ali Khan. A perusal of the FIR reveals that the Applicant, along with others, came with weapons and inflicted blows on the head and neck of the First Informant. The role attributed to the Applicant is that he had inflicted a blow of hammer on the head of the First Informant. The First Informant had sustained injury, which was bone deep on parieto-occipital region and the CT Scan of brain showed that there was depressed fracture of skull.

4. Considering the nature of the injuries inflicted and the nature of the offence committed by the Applicant, I am not inclined to exercise discretion under Section 438 of Cr.P.C. Hence, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)