



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**973 ANTICIPATORY BAIL APPLICATION NO. 1156 OF 2024
(WITH CRIMINAL APPLICATION NO. 2933 OF 2024)**

Mohammad Anwar @ Annu Qureshi Chand Qureshi

..APPLICANT

-VERSUS-

1. The State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

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Advocate for Applicant : Mr. R.P. Patwardhan

APP for Respondent/State : Mr.R.B. Dhaware

Advocate for assist to P.P. : Mr. A.C. Sisodiya

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 23rd July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.80 of 2024 registered with Begumpura Police Station, Aurangabad, for the offences punishable under sections 323, 341, 392, 504, 506 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that the first informant Mehraj Patel Rafiq Patel lodged the complaint stating that on 23rd March, 2024, at around 10:30 p.m., when he was going to meet Yunus Patel, at that time, the applicant and co-accused came near to informant and abused him and the applicant took out Rs.15,000/- from the pant pocket of the informant.
3. It is contention of the applicant that the applicant has been

falsely implicated in this case. The learned counsel further submitted that the matter is settled out of the Court between the informant and the applicant. Hence his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant assaulted the informant and took out of Rs.15,000/- from his pant pocket. To recover the said amount, his custodial interrogation is required, hence requested to reject the application.

5. Informant appeared through learned counsel Mr.A.C. Sosodiya and has filed the application for assist to prosecution. The application is taken on record. It is allowed and disposed of. It be registered for statistical purpose.

6. In this application, it is contention of the learned counsel for the informant that the matter is settled between the informant and the applicant and he has no objection to allow the application of the applicant.

7. I have heard all the learned counsel. Perused the F.I.R. and police papers produced on record.

8. The allegations against the applicant are that he has taken out Rs.15,000/- from the pant pocket of the informant. The learned counsel for the informant submits that the complaint was filed due to misunderstanding. Considering the submissions of the learned counsel for the informant, I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant in connection with FIR No.80 of 2024 registered with Begumpura Police Station, Aurangabad, for the offences punishable under sections 323, 341, 392, 504, 506 read with 34 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following conditions :-
 - (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]

sga