

Anand

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

BAIL APPLICATION NO. 1430 OF 2023

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|----|-----------------------------|-------------|
| 1. | Mr. Aman Sultan Kureshi | .Applicants |
| 2. | Ms. Nooren Vakil Kureshi | |
| 3. | Mrs. Shabnam Sultan Kureshi | |
| 4. | Ms. Mahek Sultan Kureshi | |
| 5. | Ms. Anam Sultan Kureshi | |

Versus

The State of Maharashtra	.Respondent
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Mr. Saeed Mughal a/w. Ms. Deepa Panicker, Mr. Azhar Shaikh,
Advocate, for the Applicants
Ms. Mahalakshmi Ganapathy, APP, for the Respondent – State

CORAM : MADHAV J. JAMDAR, J.
DATE : 03.01.2024

P. C.

1. Heard Mr. Mughal, learned Counsel appearing for the Applicants and Ms. Ganapathy, learned APP appearing for the Respondent-State.

2. This is an Application filed by the Applicants seeking regular bail. The relevant details are as under :-

1	C. R. NO.	212 of 2022 (Sessions Case No. 43 of 2022)
2	Date of Registration of F.I.R.	26.07.2022
3	Police Station	Khed Police Station, Ratnagiri
4	Sections Applied	302, 307, 324, 323, 143, 148, 149, 504 & 506 of the Indian Penal Code, 1860
5	Date of Incident	25.07.2022
6	Date of Arrest	26.07.2022 & 27.07.2022

7	Date of filing of Charge sheet	21.10.2022
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3. Perusal of the material on record shows that there are total six accused in the Sessions Case No. 43 of 2022. The present Application has been filed by five accused i.e. Applicant No. 1 - Aman Sultan Kureshi (aged 21 years), Applicant No. 4 - Ms. Mahek @ Fatima Sultan Kureshi (aged 18 years), Applicant No. 5 - Ms. Anam Sultan Kureshi (aged 21 years) are the children of Applicant No. 3 - Mrs. Shabnam Sultan Kureshi (aged 38 years) and Accused No. 1 - Sultan Shoukat Kureshi, Applicant No. 2 - Mr. Nooren Vakil Kureshi (aged 19 years) is the nephew of Accused No. 1.

4. The material on record shows that the complainant (deceased) i. e. Mainuddin Naimuddin Siddhiki and the Applicants are neighbours. There used to be frequent quarrels amongst them. The incident occurred on 25.07.2022 amongst two families and in that quarrel, the first informant i.e. Mr. Mainuddin Naimuddin Siddhiki died. The material on record shows that the main accused Mr. Sultan Shoukat Qureshi (husband of Applicant No. 3, father of Applicant Nos. 1, 4 & 5 and uncle of Applicant No. 2) was having a knife in his pocket, as he is a butcher by profession. In the said quarrel between two families, the Accused No. 1 stabbed the deceased on his back.

5. The material on record shows that this is a dispute amongst neighbours in which the deceased has died. The Applicant Nos. 1, 2, 4 & 5 are of very young age between 18 to 21 years. Their role is not significant.

6. As the Applicants are neighbours of the Complainant, Mr. Mughal, learned Counsel appearing for the Applicants states that the Applicants will reside in the jurisdiction of the Kasar Vadavali Police Station, District - Thane after their release on bail. The investigation is complete and charge-sheet is filed. The trial is likely to take a long time. There appears to be no 'flight-risk' w.r.t. the Applicants.

7. Accordingly, the following order is passed.

O R D E R

(i) The Application is allowed;

(ii) The Applicants - Mr. Aman Sultan Kureshi (Accused No. 2), Mr. Nooren Vakil Kureshi (Accused No. 3), Mrs. Shabnam Sultan Kureshi (Accused No. 4), Ms. Mahek @ Fatima Sultan Kureshi (Accused No. 5) & Ms. Anam Sultan Kureshi (Accused No. 5) in connection with C. R. No. 212 of 2022 (Sessions Case No. 43 of 2022) registered with the Khed, Ratnagiri Police Station shall be released on bail on their furnishing P. R. Bond in the sum of Rs. 10,000/- each with one or two solvent sureties each in the like amount;

(iii) The Applicants shall not enter the jurisdiction of the Khed Police Station, District - Ratnagiri on being released on bail except for reporting to the investigating officer, if called;

(iv) On being released on bail, the Applicants shall furnish their contact numbers and residential addresses to the investigating

Officer and shall keep them updated, in case there is any change;

(v) The Applicants shall report to the Kasar Vadavali Police Station, Thane once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of trial. The Police Inspector of Kasar Vadavali Police Station, Thane to communicate details thereof to the Investigating Officer;

(vi) The Applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing the facts to Court or any Police Officer;

(vii) The Applicants shall not tamper with evidence;

(viii) The Applicants shall regularly attend the trial;

(ix) The Applicants shall co-operate with the trial Court and shall not seek unnecessary adjournments;

(x) The Applicants shall surrender their passports, if any, to the Investigating Officer.

8. The Application is disposed of.

(MADHAV J. JAMDAR, J.)