

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

ANTICIPATORY BAIL APPLICATION NO. 39 OF 2024

Mrs. Jannat Najir Shikalgar	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Ali Kaashif Khan Deshmukh a/w. Hitanshi Gajaria for
Applicant.

Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 9 JANUARY 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 657 of 2023 registered at Dehu road Police Station, Pimpri-Chinchwad, on 08.12.2023, under Sections 304(2), 285, 286, 337 and 338 of the Indian Penal Code and under Sections 5 and 9-B of the Explosives Act, 1884.

2. The F.I.R. is lodged by the Fire Brigade Officer attached to Talawade center. The F.I.R. is in respect of a blast which had taken place on 08.12.2023 at Jyotiba Nagar. In the incident, 14

persons died and some were seriously injured. There was a factory for making the sparkle candles where the blast had taken place. The applicant was the owner of the land where the factory was situated. The F.I.R. was lodged against the applicant, her husband and the owner of the factory.

3. Learned counsel for the applicant submitted that the applicant had given that land on leave and license basis vide an Agreement dated 27.06.2023 for a period of three years. There are specific averments in the agreement that the licensee was not to carry out any business illegally. The said premises were to be used for engineering purpose and all the requisite licenses were to be obtained by the licensee. He, therefore, submitted that, if there is any lapse on the part of the licensee, which had led to commission of the offence, the applicant cannot be held responsible. He further submitted that the applicant is suffering from paralysis and suspected tuberculosis, therefore, her custodial interrogation is not necessary.

4. Learned APP seeks time to take the instructions

regarding the nature of licenses required for the said business and also to verify the medical condition of the applicant.

5. At her instance, today I am adjourning the matter. However, considering the submissions made by the learned counsel for the applicant, she can be protected by way of ad-interim relief.

6. Hence, the following order.

ORDER

- i) In the event of her arrest in connection with C.R.No. 657 of 2023 registered at Dehu road Police Station, Pimpri-Chinchwad, till the next date, the Applicant be released on bail on her executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) This order shall operate till 06/02/2024.
- iii) The Applicant shall cooperate with the investigation.
- iv) Stand over to 06/02/2024.

(SARANG V. KOTWAL, J.)