

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

Anticipatory Bail Application No.2484 of 2024

Imtiyaz Qureshi

Age : 45 years; Occ: Business

Having resident address at

B/703, Brookhill Tower,

3rd Cross Lane, Lokhandwala Complex,

Naer High Point Restaurant,

Andheri(W), Mumbai-400 053.

..... Applicant.

Vs.

1) The State of Maharashtra

(Through Oshiwara Police Station)

..... Respondent No.1.

2) The State of Rajasthan

(Through Subash Nagar Police Station)

..... Respondent No.2.

3) Mr Shubham Baldi

A/72, RK Colony, Bhilwara,

Rajasthan – 311001

.... Respondent No.3/
First Informant.

Mr Ashok Mishra i/by Riddhi Shah for the applicant.

Ms Supriya Kak, APP for Respondent No.1/State.

Coram : R.N.Laddha, J.

Date : 10 September 2024.

P.C. :

Leave to annex the service report. Amendment to be carried out forthwith.

2. Heard Mr Ashok Mishra, the learned counsel appearing on

behalf of the applicant and Ms Supriya Kak, the learned APP representing the respondent No.1/ State

3. In this application, the applicant has approached this Court citing extreme urgency in the matter, as he apprehends arrest in connection with C.R. No.376 of 2024 registered at Subhash Nagar Police Station, Bhilwara, Rajasthan, for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

4. Mr Ashok Mishra, the learned counsel for the applicant, submits that the applicant requests limited protection until he can approach the competent Court of jurisdiction for seeking anticipatory bail in connection with the aforesaid crime registered against him.

5. Ms Supriya Kak, the learned APP, has emphasised that since the FIR was registered at Subhash Nagar Police Station, Bhilwara, Rajasthan, really speaking, the respondent/State would not have much to say in the matter. However, she suggests that if this Court grants relief, it may impose appropriate conditions to prevent misuse.

6. It is a settled position in law that the limited relief of protection can be granted to the applicant, only to facilitate approaching the competent Court of jurisdiction (*N. K. Nair and Ors. v. State of Maharashtra and Ors. 1985 Cr.L.J. 1887*,

Shantanu Shivlal Mulak and Ors. v. State of Maharashtra 2021 ALL MR Cri. 1380 and Shrikant Gopilal Rath and Ors. v. State of Maharashtra and Ors. Criminal Writ Petition No.581/2021).

7. This Court is not going into the merits of the matter or entitlement of the applicant for grant of anticipatory bail in any manner. Since there is possibility of applicant's arrest in connection with the aforesaid crime, which cannot be said to be misplaced or imaginary, in the facts and circumstances of the case, it is appropriate to protect the applicant for a limited period to enable him to approach the competent Court. Hence, the following order.

(i) The applicant is granted protection from coercive action or arrest only for a period of three weeks from today provided the applicant during this period shall not leave the State of Maharashtra except to travel to the State of Rajasthan for moving such application before the competent Court of jurisdiction.

(ii) The applicant shall inform the concerned police station of State of Maharashtra about this order passed by the Court.

(iii) The applicant shall not act in any manner that would be prejudicial to the investigation that may be carried out by the concerned police officer in respect of aforesaid FIR.

8. The application stands disposed of accordingly.

[R. N. Laddha,J.]