



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

937 ANTICIPATORY BAIL APPLN.NO.1938 OF 2024

**IQBAL MOHAMMED HANIF SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Applicant : Mr.Mubashirul Abedin Quazi,
Adv.Abdulla Peerzade & Adv.Tauheed Maniyar
APP for Respondent-State : Mr.A.A.A.Khan
Advocate for Assist to P.P. : Mr.S.S.Palnitkar

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**WITH
CRIMINAL APPLICATION NO. 270 OF 2025
IN ABA/1938/2024**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 21.01.2025

P.C. :

1] Heard. For the reasons stated in the Criminal Application No.270/2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant in ABA No.1938 of 2024, learned counsel for the informant and the learned APP for the respondent-State.

3] The applicant is apprehending arrest in connection with FIR No. 664/2024, registered at Sangamner Police Station, District Ahmednagar, for the offences punishable under sections 118 (1), 115, 351 (2), 352 of B.N.S. and subsequently added Sections 188 (2), 3 (5), 189 (1), 189 (2) of BNS and Section 3 and 4 of Muslim Women [Protection of Rights on Marriage] Act, 2019.

4] The learned counsel for the applicant submits that this Court, by order dated 19.11.2024, has granted interim protection in favour of the applicant for the reasons stated in the said order. In terms of the said order, the applicant has attended the concerned police station and has co-operated with the investigation.

5] The learned counsel for the informant submits that the applicant had assaulted the informant in the hospital by wooden stick. However, the case of the applicant is that the applicant was assaulted by the informant and her family members and the applicant has sustained grievous injuries and the FIR is registered against the informant and others. In the said crime, the informant and others have filed Criminal M.A.N.253/2024 in which it is stated at para nos.15 and 16 as under :

15) That, applicant no.1 along with her mother went to the Varpe hospital to see her

son Badar, but complainant and his relatives have assaulted her and her mother and due to this scuffle took place in between to groups, somebody have forcefully pushed Iqbal and unfortunately he was strucked against the door and the wall.

16) That, applicant have also received injuries and was admitted with Ithape hospital for the medical treatment.

6] Considering that in terms of order dated 19.11.2024, the applicant has attended the concerned police station and has co-operated with the investigation and considering that this is a family disputes and it's difficult to ascertain who is aggressor as there was scuffle between two groups, the interim protection granted by this Court by order dated 19.11.2024 stands confirmed, on the following terms :

i] The applicant shall attend the concerned police station as and when called by the investigation.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC