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

CRIMINAL APPLICATION NO. 176 OF 2025

Mariyam Niyaz Shaikh

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Mr. Vaibhav Ugle, Advocate for Applicant.
 - Ms. Savita M. Yadav, APP for Respondent – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 21, 2025.

P.C.:

1. Heard Mr. Ugle, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent – State.

2. Present Criminal Application seeks cancellation of bail granted to Respondent No.2 herein.

3. Mr. Ugle, learned Advocate for Applicant has drawn my attention to the bail order dated 20.02.2025 appended at page No.145 of the Application. Condition No.1 for grant of bail in the said order is relevant. Applicant before me has complained that the said condition is *prima facie* violated repeatedly by Respondent No.2.

4. In support of this submission, Mr. Ugle would submit that Applicant and her father i.e. First Informant both have filed a complaint dated 20.03.2025 with the Senior Inspector of Police,

Ganeshpuri Police Station, Tal. Bhiwandi stating that Respondent No.2 has been attempting to follow them repeatedly and trying to influence them. He would submit that the matter has escalated further because of the conduct of Respondent No.1 and on 02.04.2025 he has forced himself and met the father of Applicant and threatened him to withdraw the present complaint. He would submit that on that date itself namely 02.04.2025 non-cognizable complaint is lodged by the father of the Applicant.

5. The complaint dated 20.03.2025 is appended at page No.150 of the Application. In so far as complaint dated 02.04.2025 is concerned, the same is not appended to the Application but copy of the complaint is shown to me across the bar.

6. *Prima facie* it is seen that Respondent No.2 is resident of the same village as that of the Applicant. An arguable case has been made out by Mr. Ugle, hence issue notice to Respondent No.2. Humdast permitted.

7. Mr. Ugle is permitted to serve a copy of Application on Respondent No.2 through any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

8. Ms. Yadav, learned APP waives service on behalf of Respondent No.1 – State.

9. Respondent No.2 is directed to remain present in Court on the next adjourned date to enable the Court to consider the present Criminal Application further.

10. It is directed that in the meanwhile, Respondent No.2 shall not indulge in any such act so as to violate the bail condition which has been granted.

11. List the Bail Application on Board on **05th May, 2025**. To be placed under the caption '**First on Board**'.

[MILIND N. JADHAV, J.]

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