

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1455 OF 2025

Mohammad Kamran Ikram Qureshi .. Applicant

Versus

State of Maharashtra .. Respondent

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- Mr. Milan Desai a/w Mr. Nikesh B. Yadav, Advocates for Applicant.
- Mr. Dinesh J. Haldankar, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 28, 2025

P. C.:

1. Heard Mr.Desai, learned Advocate for Applicant and Mr. Haldankar, learned APP for State.

2. Applicant is arraigned as Accused No.1 in offence punishable under Section 307 of IPC. He is a contractor by profession. Applicant came to be arrested on 13.12.2024. Allegation of prosecution is of Accused having used a weapon namely a knife which has been recovered from him.

3. Learned Advocate Mr. Desai has drawn my attention to the injury certificate which *prima facie* according to him shows simple injuries. He would submit that motive of alleged incident is something which happened on the spur of moment when Applicant and other accused persons observed First Informant's friend while he was urinating on the road and a verbal altercation ensued between them

which escalated but both parties left the incident spot. However the case of prosecution is that Accused No.1 alongwith other co-accused persons thereafter went on to search for First Informant and thereafter the incident of Applicant having inflicted a blow with the knife occurred. Mr. Desai would submit that in the First Information Report First Informant has stated that he and his friends were assaulted by 4 to 5 persons whereas while narrating the history of alleged incident during medical examination First Informant and his injured friends have stated that they were assaulted by more than 15 persons. He would submit that there was no premeditation or plan for carrying out the assault as it was the result of precursor incident which led to the incident in question. He would submit that considering the fact that Applicant is 35 years old and a contractor by profession, Application of Applicant be considered for grant of bail.

4. Learned Prosecutor in the matter shall take appropriate instructions with respect to the veracity of submissions made by Mr. Desai as delineated hereinabove from the record of the case and accordingly apprise the Court about precise role of Applicant as also the 4 other co-accused persons to consider case of Applicant for grant of bail.

5. Stand over to 7th July, 2025.

[MILIND N. JADHAV, J.]