

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

CRIMINAL BAIL APPLICATION NO.2652 OF 2025

Mohammed Dilshad Mohammed
Imran

... Applicant

Vs.

The State of Maharashtra

... Respondent

Ms. Sakshi Inamdar, Advocate for the Applicant.

Mr. Mayur S. Sonvane, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th DECEMBER, 2025.

P.C. :

1. By the present application the Applicant is seeking bail in Crime No.701 of 2024 and R.C.C. No.4707 of 204 and S.C. No.369 of 2024 registered in Chitalsar Police Station. Said crime No.701 of 2024 is registered as Sessions Case No.369 of 2024.

2. Applicant had filed Application for Bail (Exhibit-3) in Sessions Case No.369 of 2024, seeking bail, on the sole ground of non-compliance of the provisions of Section 50 of Code of Criminal Procedure and Article 22 (1) of the Constitution of India.

3. By order dated 21st March, 2025, the Sessions Judge, Thane, after taking note of the submissions made by the parties and the say

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filed by the Investigating Officer rejected the Application at Exhibit-3.

Paragraph Nos.1 and 2 of the said order are referred to herein below:-

“Applicant seeks to be released on bail in an offence wherein it has been alleged that he has committed murder of his step son by assaulting him, solely on the ground of that there is non compliance of mandatory provision of Section 50 of the Code of Criminal Procedure and Article 22(1) of Constitution of India, in as much as the grounds of arrest were not communicated to the applicant at the time of his arrest.

2] The Investigating Officer has filed his say and affidavit wherein it has been submitted that the grounds of arrest were informed to the applicant and necessary entry in the case diary in that regard has been taken. The Investigating Officer has produced the case diary wherein it has been specifically mentioned that after informing the accused, the grounds of arrest, he was taken in custody.”

4. On 11th November, 2025 this Court made the following order:-

1. None appears for the applicant when called for.
2. In order to give one more opportunity to the applicant, stand over to 9th December, 2025.

5. This matter was listed before this Court on 11th December, 2025 at 3.00 pm, none appeared on behalf of the Applicant either physically or through Video Conference mode. Mr. Mayur S. Sonvane, APP for Respondent/State submits that the present Bail Application was filed on 30th June 2024. He submits that the Applicant is not interested

in pursuing the present Bail Application as such he prays for dismissal of this Application. In the alternate he submits that an Advocate be appointed to assist this Court as Bail Applications are required to be disposed of within two months.

6. Considering the request of Mr. Sonawane learned APP, Advocate Ms. Sakshi Inamdar, was requested to assist this Court considering the limited ground on which the Applicant was seeking bail.

7. Heard Ms. Sakshi Inamdar and Mr. Sonawane learned APP for the State.

8. Ms. Sakshi Inamdar, has relied on the decision of the Hon'ble Supreme Court in the case of *Mihir Rajesh Shah Vs. State of Maharashtra and Anr.*¹. She has taken this Court through the Bail Application as also the documents appended to the Bail Application.

9. Mr. Sonawane, learned APP by relying on the records of crime No.701 of 2024, submits that the Investigation Officer had furnished the grounds of arrest to the Applicant. He by referring to the grounds raised in the Bail Application filed by the Applicant in this Court submits that

1. 2025 SCC OnLine SC 2356.

no case is made out by the Applicant in support of his contentions. He submits that the Applicant has committed murder of a minor aged four years and three months. He submits that the material on record clearly establishes the involvement of the Applicant in the crime.

10. Perused the records. Mr. Sonawane, learned APP is justified in his submissions that the Applicant though had filed the Application at Exhibit – 3 in Sessions Case No.369 of 2024 restricting the Bail on the ground of non compliance of Section 50 of Cr. P.C., the Applicant apparently has given up the said ground in the present Application, as evident from the grounds (a) to (x) of the present Application. Even otherwise the material on record prima facie indicates the Applicant being involved in the crime. No case is made out by the Applicant.

11. This Court appreciates the assistance rendered by Ms. Sakshi Inamdar.

12. Bail Application No.2652 of 2025 is dismissed.

(ASHWIN D. BHOBE, J.)