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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3061 OF 2025

Ramzan Siddik Gazi	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Tanveer Patel, Advocate for the Applicant.
Ms. M. H. Mhatre, APP for Respondent/State.
Mr. Ananda Harugade - API, Panvel Taluka Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th AUGUST, 2025.

P.C. :

1. Heard Mr. Tanveer Patel, learned Advocate for the Applicant and Ms. M. H. Mhatre, learned APP for the Respondent-State.
2. By the present Application, the Applicant is seeking bail in Crime No.44 of 2024, registered at Panvel Taluka Police Station, for the offences punishable under Sections 326-A and 307 of IPC. Said crime is registered as Sessions Case No.124 of 2024 and is pending before the Court of Additional Sessions Judge, Panvel-Raigad.
3. Case of the prosecution is that Amina Khatton @ Bibi (victim) is the wife of the Applicant (Accused). The victim has 3 children from the marriage with the Applicant. Victim and the Accused were having a dispute with regard to settling in the State of Hyderabad. On 19th January, 2024, a quarrel broke out between the Applicant and the victim. At about 2.00 a.m. on 20th January, 2024, the Applicant threw acid on the face and body of the victim. Victim sustained 20% burn injuries on her face on account of the acid attack at the hands of the

Applicant. After throwing acid on the face of the victim, the Applicant locked the doors of the nearby houses so as to prevent them from giving help to the Victim. Victim, after the said acid attack, travelled to her native place i.e., West Bengal. She lodged an FIR on 21st January, 2024 at Baniyapur Police Station, Kolkata. The Baniyapur, Police Station registered CR No. 0 of 2024 under Section 326-A of IPC and transferred the same to the Panvel Taluka, Police Station.

4. Applicant was arrested on 23rd February, 2024 since then the Applicant is in jail. Bail Application at Exhibit-3 filed by the Applicant in Sessions Case No.124 of 2024 was rejected by the Additional Sessions Judge, Panvel - Raigad on 23rd May, 2025.

5. Mr. Tanveer Patel, learned Advocate for the Applicant, submits that the Applicant and the victim had a matrimonial discord. He submits that in view of the matrimonial discord, the victim with mala fide intention to create an impression of assault, inflicted the injuries on her face. He submits that the fact that the victim having declined treatment in the State of Maharashtra after the acid attack and her act of fleeing to her native place, is a conduct which does not support human behavior upon being attacked/assaulted. He submits that the injury due to the acid attack is not a fatal injury. He submits that the recoveries at the instance of the Applicant indicates that the substance thrown on the face of the victim was not acid but a toilet cleaner which had some component of acid. He submits that there is a delay in registration of the FIR. He submits that the Applicant is in jail on 23rd February, 2024 and the trial has not commenced.

6. Ms. M. H. Mhatre, learned APP for the State, submits that the Applicant after throwing acid on the face of the victim, locked the doors

of the nearby houses of the neighbours so as to prevent any help/assistance to the victim after the said brutal acid attack on the face of the victim. She submits that the son of the victim has narrated the incident of 20th January, 2024. She submits that at least 4 neighbours have given their statements wherein they have referred to the victim being attacked by acid, their doors being locked and the Applicant after, the acid attack taking some treatment by applying balm and thereafter immediately proceeding to her native place, West Bengal. She submits that all the ingredients of Section 326-A of IPC are attracted in the present crime and the involvement of the Applicant in the present crime is established. She submits that the Investigation has revealed the Applicant being aggressive in nature and considering the past conduct of the Applicant there is every possibility of the Applicant repeating the acts and threatening the victim.

7. I have perused the records with the assistance of the learned Advocates.

8. Charge-sheet reveals that the victim is assaulted by the Applicant by throwing acid on her face. Medical evidence supports the prosecution case of the victim having suffered injuries on account of acid being thrown on her face. Impact of the acid has resulted in injuries to the extent of 20% on the face of the victim. Applicant by his conduct of locking the doors of the nearby neighbours, indicates the intention of the Applicant was to cause injury and serious hurt to the victim. Applicant apparently wanted the victim to suffer the pain of the acid attack. Son of the victim and the other witnesses (neighbours) have supported the prosecution case of the victim being subjected to acid attack and the manner in which the neighbours were prevented from

helping the victim.

9. Submissions of Mr. Tanveer Patel, that the conduct of the victim of not availing immediate medical attention in the State of Maharashtra and immediately travelling to her native State, West Bengal, itself is a testament of the fact that there was no such assault and that the said conduct of the victim is not a conduct of a prudent person who has suffered acid attack is liable to be rejected in limine. Victim who was sleeping at her home had to suffer acid attack at the hands of the most trusted person i.e her husband. The victim having realized that her husband having acted in such uncivilized manner and committed a heartless crime, no fault can be found in the victim travelling to her native place. Victim upon reaching West Bengal has immediately lodged the Complainant with the police.

10. Assuming that the victim inflicted the injuries on her self, as claimed by Mr. Tanveer Patel, then in such event also there is material on record to indicate the Applicant having helped the victim or given her immediate medical treatment. This conduct of the Applicant speaks in volumes.

11. There is prima facie evidence to hold Applicants involvement in the offence. Facts disclosed from the FIR and the documents produced on record would show that the evidence collected is sufficient to constitute offence under Sections 326-A and 307 of IPC.

12. Apprehensions expressed by Ms. Mhatre, learned APP cannot be ruled out. This is not a fit case for enlarging the Applicant on bail.

13. Criminal Bail Application No. 3061 of 2025 is therefore dismissed.

(ASHWIN D. BHOBE, J.)