

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.544/2025

SALEM SALMAN SADIQ MALIK

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Shadab Khopekhar for the Applicant.

Adv. Anand S. Shalgaonkar, APP for the State.

API T. D. Sakunde, Navghar Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 17, 2025

P.C.:

1. The applicant has filed the present application for grant of pre-arrest bail under Section 482 of the Gharatiya Nagarik Surakhsa Sanhita, 2023 (BNSS) for enlarging him on bail in C.R.No. 500 of 2024 registered with Navghar Police Station for the offences punishable under Sections 109, 118,(2), 115(2), 189(2), 189(4), 191(2), 191(3), 190, 352, 351(2) of Bharatiya Nyaya Sanhita, 2023 and Section 2 of the Prevention of Insults to National Honour Act, 1971.

2. It is the case of the prosecution that the incident occurred on 11 September 2024 at 5.40 pm when there was an assault to the informant by the accused. The victim was sustained several injuries, pursuant to which an FIR has been lodged.

3. On 6 March 2025, I have passed the following order. For ease of reference, the order dated 6 March 2025 is reproduced herein below :

“1. Mr. Khopekar, learned counsel for the applicant submits that the applicant is a college student, studying in first year IT. He submits that there are no antecedents as far as the present applicant is concerned and he has been named in the second remand as accused no.4. Three of the accused persons in the FIR have been granted regular bail. He submits that the present applicant is ready to do social work in the nearby hospital.

2. As the applicant has desired to do some kind of social work, he is permitted to do social work in **Bharat Ratna Pandit Bhimsen Joshi General Hospital Bhayandar (W)** on **8 March, 2025** and **9 March, 2025** for **two hours daily**.

3. The Dean of Bharat Ratna Pandit Bhimsen Joshi General Hospital Bhayandar (W) is requested to arraign the present applicant to do some kind of social work in the hospital which will be beneficial to the Hospital.

4. The investigating officer will give a compliance report to the APP about the social work done by the present applicant.

5. The applicant is directed to attend the concerned police station on 12 March, 2025 and 13 March, 2025 between 11.00 am to 1.00 pm.

6. Stand over to **17 March, 2025** under the caption “**for urgent circulation.**”

7. In the meanwhile, no coercive steps be taken against the present applicant.”

4. The learned counsel for the applicant submits that the applicant has complied with the order dated 6 March 2025 passed by this Court. He submits that the applicant also attended the concerned police station as per the directions given by this Court.

5. The learned APP tendered a report dated 10 March 2025 of Bharat Ratn Pandit Bhimsen Joshi General Hospital Bhayandar (W),

which mentions about the social work being done by the present applicant on 8 March 2025 and 9 March 2025 for two hours daily. The said report is taken on record and marked as “X” for identification. He submits that there are no antecedents reported against the present applicant and the name of the present applicant has added after the second remand. The APP further submits that the applicant has attended the concerned police station 12 March 2025 and 13 March 2025 and thereby complied with the directions given by this Court.

6. I have heard the counsel for both the sides and have considered the FIR and report of the Bharat Ratn Pandit Bhimsen Joshi General Hospital Bhayandar (W). I am satisfied that the *prima facie* case is made out by the applicant to grant him pre-arrest bail. Hence, I pass the following order.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with C.R.No.500/2024 registered with Navghar Police Station, Dist. Thane the applicant shall be released on bail, on furnishing PR. bond to the extent of Rs.30,000/- with one or two sureties each of the like amount.

(c) The applicant shall attend the office of the investigating officer of the concerned police station as and when called for.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any police officer and shall not tamper with evidence.

(e) The applicant shall furnish detail of his residential address, contact number and email address to the Investigating Officer.

7. The **anticipatory bail application is disposed of as allowed.**

(RAJESH S. PATIL, J.)