

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 916 OF 2025

Tanvir Asif Kureshi And Anr ...Applicants
Versus
The State Of Maharashtra And Anr ...Respondents

Ms. Neha Ramesh Kokare, Advocate for the Applicants.

Ms. Pallavi N. Dabholkar, APP for the State.

Adv. Anshuman Sambre, Advocate for respondent No.2.

Mr. Amit Payal, PSI Bhigwan Police Station present.

CORAM : RAJESH S. PATIL, J.

DATED : 24 APRIL 2025

P.C.:

1. This is an application moved by the applicants seeking their release on anticipatory bail in connection with Crime bearing No.309/2024 under Sections 64, 64(2) (m), 49, 74, 78, 3(5) & 351 (2) of Bharatiya Nyaya Sanhita and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 Act registered at Bhigwan Police Station.

2. Based on the complaint filed, an FIR has been registered, and the roles of both applicants have been specifically mentioned in the said

complaint. The applicants are accused nos. 8 and 9 as arraigned in the FIR. Applicant no. 1 is the son of applicant no. 2. Applicant no. 2 was the employer of accused no. 1 at the relevant time. As per the allegations made in the FIR, which was filed on 30 September 2024, the victim girl and accused no. 1 were in college around four years ago and shared a friendly relationship, which later developed into an affair. It is alleged that, pursuant to this relationship, they had physical relations. At the relevant time, the victim girl was a minor. It has now been submitted before me that the victim girl is married to a person whose name is not mentioned in the present crime, and she is currently residing with him. As regards the allegations made against the present applicants, the learned advocate appointed for the victim girl has shown a copy of the FIR and pointed to a specific sentence mentioned on page 20. The said sentence reads as under:

"त्यावेळी त्याच मालक व मालकाचा मुलगा तन्वीर कुरेशी, समीर पठाण व अतीत मुलांनी रा. भिगवण व निहाल मुलांनी रा. भिगवण हे घरी यायचे हे सर्वजण माझ्यासमोर अश्लील बोलायचे व माझ्याकडे घाणेरड्या नजरेने बघायचे तसेच नासीर व तन्वीर यांनी घरी मांस आणून मला जबरदस्तीने खायला हनमार करून घातले होते. "

3. The allegation is that the present applicant, along with the other applicant, used to converse among themselves in the presence of the victim, making certain vulgar and filthy statements and, in fact, also performed certain objectionable acts.

4. Applicant no. 1 is now aged 20 years and, therefore, at the relevant time in the year 2020, he would have been around 16 years of age. The father of applicant no. 1, who is arraigned as applicant no. 2 herein, is engaged in some kind of business.

5. Considering the submission made by the learned APP that, as of now, the custody of the present applicants is not necessary,

6. In such a situation, according to me, a case is made out for granting Anticipatory Bail Application.

ORDER

(a) The anticipatory bail application is allowed

(b) In the event of arrest of the Applicants in Crime bearing No.309/2024 under Sections 64, 64(2) (m), 49, 74, 78, 3(5) & 351 (2) of Bharatiya Nyaya Sanhita and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 Act registered at Bhigwan Police Station, the Applicants shall be released on bail furnishing P.R. bond to the extent of Rs.30,000/-, each with one or more sureties of the like amount.

(c) The Applicants shall co-operate with the investigation and attend the investigating officer of the concerned police station on 29 April 2025 and 30 April 2025 between 11.00 a.m to 1.00 p.m., thereafter as

and when called.

(d) The Applicants shall not directly or indirectly make any inducement, threat or promise to victim and to any person acquainted with facts of case so as to dissuade him/her from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(e) The Applicants shall furnish their contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(f) The Applicants and their surety shall provide their respective mobile numbers, e-mail address and documents pertaining to the place of residence.

7. In view of the above, the present Anticipatory Bail Application is disposed of.

(RAJESH S. PATIL, J.)