



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

ANTICIPATORY BAIL APPLICATION NO. 1127/2025

TAJUDDIN ISAAQ MUNDHE & ANR

..APPLICANTS

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Adv. Karim Pathan a/w. Adv. Shane Illahi Turkey, Adv. Tabish Shaikh,
Adv. Fardeen Shaikh for applicants.

Ms. Supriya Kak, APP for the State.

Adv. Adv. B. A. Lawate for original complainant.

HC A. S. Lawate, Malegaon Police Station, Pune Rural.

CORAM : RAJESH S. PATIL, J.

DATE : APRIL 29, 2025.

P.C. :

1. This application is filed under Section 482 of the Bhartiya
Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in
connection with the First Information Report (FIR) No. 51/2025
registered with the Malegaon Police Station, for the offence
punishable under Sections 352, 351(3), 351(2), 191 (3), 191(2),
190, 189(2), 119(1), 118(1), 115(2) of the Bhartiya Nyaya Sanhita,
2023.

2. The learned APP has produced the medical certificate dated

15/3/2025 of the Pawar Hospital. The said certificate mentions that the complainant has received injuries on her forearm due to an assault. The x-ray of the forearm was done, and it seems to be normal. The learned APP further submits that she is not pressing for custody of the present applicants.

3. The learned counsel Mr. Lawate submits that he is appearing for the original complainant. He seeks short accommodation to file vakalatnama.

4. Applicant no.1 is 58 years old and applicant no.2 is 31 years old. It has been alleged that the gold Mangalsutra was snatched by applicant no.2. There are no dispute that there are no criminal antecedents reported against the applicants. The medical certificate shows that there is a injury on the forearm of the complainant. According to the learned counsel for the applicants, it was self-inflicted injury and applicant no.2 at the relevant time was in the market, away from the site where the alleged incident took place.

5. I have gone through the medical certificate produced by the learned APP. The injuries are not of a grievous nature. The applicants have no criminal antecedents. The issue whether the gold Mangalsutre of the complainant was snatched by applicant no.2,

since disputed would be the matter to be proved in the evidence since there is an issue raised from the side of the applicants that at the relevant time, applicant no.2 was in the market. Applicant no.1 is a person aged 58 years old. It has been alleged in the FIR that he used weapon called as 'koyta' in order to inflict injury on the complainant lady. Since the said injury is also disputed by the learned counsel appearing for the applicants on the ground that this is a self-inflicted injury by the complainant and there is some dispute between the family of the complainant and the applicants who are otherwise closely related. According to me, a case is made to grant pre-arrest bail to the applicants. Hence, the following order.

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with FIR No. 51/2025 registered with the Malegaon Police Station, the applicants shall be released on bail, on furnishing PR. bonds to the extent of Rs.30,000/- each with one or two sureties each of the like amount.
- (c) The applicants 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.

(d) The applicants shall furnish details of their residential addresses, contact numbers and email addresses to the Investigating Officer.

(e) The applicants shall attend the concerned police station and meet the IO in every week on Monday's between 11.00 a.m. to 1.00 p.m. till the filing of the charge-sheet.

6. Needless to say that violation of any of the aforesaid conditions would make the applicants liable to face proceedings for cancellation of this anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicants in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

7. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)