

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1487 OF 2025

Rajkumar Sharma & Anr ...Applicants

Versus

The State of Maharashtra & Anr. ...Respondents

.....
Mr. Santosh Gupta, for the Applicants.

Ms. Rashmi S. Tendulkar, APP for Respondent-State.

PSI-Poonam Jambhale, Miraroad Police Station, present in Court.

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CORAM : ASHWIN D. BHOBE, J.

DATE : 2nd JUNE, 2025
(VACATION COURT)

P.C. :-

1. Heard Mr. Santosh Gupta, learned Advocate for the Applicant and Ms. Rashmi S. Tendulkar, learned APP for the Respondent-State.

2. By the present Application, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short

"BNSS"), Applicant Nos. 1 & 2, aged 68 years and 67 years, respectively, seek grant of interim protection (transit and pre-arrest bail) so as to enable the Applicants to travel to the State of Haryana, wherein FIR bearing No. 92/2025 dated 13.03.2025 is registered with the Ambala Cantt Police Station, for the offences punishable under Section 316(2), 318(4), 351(2) and 61 of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

3. Applicants claim that they are not involved in the alleged offence. According to them, the allegations in the crime are against their son. Applicants state that they are law abiding citizens and they want to travel to the State of Haryana and apply for pre-arrest bail and seek appropriate remedy before the Hon'ble Court, having territorial jurisdiction. They apprehend that they may be arrested in the said FIR bearing No. 92/2025 registered in the State of Haryana, while travelling to the State of Haryana.

4. Mr. Gupta, learned Advocate for the Applicant states that the Applicants are from the State of Maharashtra. He submits

that the apprehension of the Applicants being arrested while travelling to the State of Haryana, is justified and reasonable. He submits that the Applicants being law abiding citizens, want to travel to the State of Haryana and take legal recourse. He states that to protect the rights of the Applicants, of availing their remedies before the Court having competent jurisdiction, the present application be considered.

5. Ms. Tendulkar, learned APP for the Respondent-State submits that they have received an intimation from the Ambala Cantt Police Station, State of Haryana of a crime being registered against the Applicants. She further states that in the event Applicants bonafidely want to travel to the State of Haryana and for that purpose, seek limited protection, then the same may be considered by this Court.

6. I have given due consideration to the arguments advanced by the learned Advocates and gone through the records with the able assistance of the learned Advocates.

7. Apparently, FIR bearing No. 92/2025 is registered in the State of Haryana, against the Applicants with the Ambala

Cantonment Police Station, State of Haryana. Offences referred above, are in respect of cognizable offences.

8. This Court in the case of *Nikita Jacob V/s. The State of Maharashtra*¹, has considered the law on the subject of transit bail/limited protection for an Accused to travel to the Competent Court for seeking protection in terms of law.

9. In view of the statement made by the learned APP and the contention of the Applicants of traveling to Haryana to take recourse to law, I am inclined to follow same course as was followed by this Court in the case of Nikita Jacob (supra). Hence, I pass the following order:

ORDER

(a) In the event of arrest of the Applicants in connection with Crime No.92 of 2025 registered with the Ambala Cantt Police Station, State of Haryana, the Applicants be released on bail on execution of P.R. Bond in the sum of Rs.25,000/- by each of the Applicants with one or more surety in the like amount.

¹ Anticipatory Bail Application No.441 of 2021 decided on 17.02.2021

(b) Protection is granted to the Applicants for a limited period of 3 weeks from today (i.e., from 02.06.2025 to 23.06.2025) to enable the Applicants to approach the Competent Court for seeking appropriate reliefs.

10. **Anticipatory Bail Application No.1487 of 2025 is disposed off** in the above said terms.

11. It is clarified that this Court has not expressed or made any observations on merits of the case and the present indulgence is shown to the Applicants to approach the Competent Court for securing reliefs as as available in terms of law.

[ASHWIN D. BHOBE, J.]