

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

Anticipatory Bail Application No.1704 of 2025

Afrin Mohsim @ Mohsin Shaikh
Age 39 years, Occ. Housewife,
Add: Saibaba Chawl, Duckline
Road, Dargah Cross Road,
Tulshetpada, Bhandup (W),
Mumbai – 400 078.

... Applicant

versus

The State of Maharashtra
(At the instance of
Bhandup Police Station)

...Respondent

Mr Jayant B Parab, for the Applicant.
Mr Anand Shalgaonkar, APP, for Respondent / State.
API Amol Naik, Bhandup Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.
Date: 17 July 2025

P.C.:

The applicant apprehends arrest in CR No.247 of 2025, registered at Bhandup Police Station, Mumbai, for offences punishable under Sections 115(2), 118(1), 118(2), 351(2), 351(3) and 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, and has approached this Court seeking pre-arrest bail.

2. It is the case of the prosecution that on 14 April 2025, a dispute broke out between Shahid Anwar and the co-accused

concerning the parking of a vehicle. The situation quickly escalated, leading to the applicant and the co-accused physically assaulting the informant and his associates, using punches, kicks, and an iron rod.

3. Mr Jayant Parab, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant's role is limited to allegedly assaulting Shahid Anwar with fist and kick blows. Even according to the prosecution's version, there are no allegations that the applicant used any weapon during the incident. Furthermore, the learned Counsel asserts that the applicant has been falsely implicated in the crime, as she is the wife of accused No.1, who has already been arrested and released on bail. The weapon allegedly used in the crime has been recovered, and nothing is left to be recovered or discovered at the applicant's behest. The learned Counsel further submits that the applicant is ready and willing to abide by any conditions set forth by this Court if released on bail.

4. Mr Anand Shalgaonkar, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request for pre-arrest bail and contends that the offence is of a serious nature. However, the learned APP fairly acknowledges that the investigation is complete, nothing

remains to be recovered or discovered from the applicant, and a charge sheet will be filed shortly.

5. Upon perusing the records, more particularly the contents of the FIR, it appears that the applicant is accused of assaulting Shahid Anwar with punches and kicks. Notably, as per the informant's version of events, the applicant did not use any weapon in the incident. The weapon allegedly used by the co-accused has already been recovered, and the co-accused has been released on bail. That apart, the learned APP fairly concedes that the investigation has concluded, nothing is to be recovered or discovered from the applicant, and a charge sheet will be filed shortly. The prosecution's apprehensions about potential evidence tampering and witness influence can be addressed by imposing appropriate conditions.

6. In light of the above and considering the fact that the investigation is complete and nothing is to be recovered from the applicant, this Court finds it fit to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.247 of 2025, registered at Bhandup Police Station,

Mumbai, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, herself or through any other person, shall not indulge in any activities that may tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)