

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1756 OF 2025

1. Yunus Khan Sher Khan	...Applicants
2. Umaid Khan Ayyub Khan	
<i>Versus</i>	
State of Maharashtra & Anr.	...Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.1748 OF 2025

1. Naseembi Anis Khan	...Applicants
2. Naeem Khan Anees Khan	
3. Aamir Khan Anees Khan	
<i>Versus</i>	
State of Maharashtra & Anr.	...Respondents

Mr. M.M. Vashi, Senior Counsel a/w Pandhi Desai i/by M.S. Vashi & Co. for Applicants.
Ms. G.P. Mulekar, APP for the State in ABA No. 1756 of 2025
Mr. S.M. Mangaonkar, APP for the State in ABA No. 1748 of 2025.
Mr. Anilkumar Patil a/w Mr. Digvijay A. Patil for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.
DATED : 26th November 2025

P.C.:

1. Heard Mr. Vashi, learned Senior Counsel appearing for the Applicants, Mr. Patil, learned Counsel appearing for the Respondent No.2- First Informant, Ms. Mulekar, and Mr. Mangaonkar, learned APP for the State.

2. By these applications filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”), the Applicants are seeking pre-arrest bail in connection with C.R. No.124 of 2025 registered with Malegaon Chhavani Police Station, Nashik Rural, for the offences punishable under Sections 318(4), 338, 340(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”).

3. As per the prosecution case, the First Informant is the daughter of Accused No.2 and Accused No.1 is uncle of the First Informant. The other Accused are brothers and close family members. As per the prosecution case, father of the First Informant passed away in the year 2020 and her mother, uncle and brothers have sold ancestral property for valuable consideration by impersonating the sister-in-law i.e. Accused No.5 as the First Informant.

4. Mr. Vashi, learned Senior Counsel appearing for the Applicants submitted that the Applicants are not involved in the crime, however, he submits that as the First Informant and Accused are close relatives, they have compromised the dispute and the

share of the First Informant as per law, has been paid to her. He therefore, submits that the Anticipatory Bail Application be granted.

5. Mr. Patil, learned Counsel appearing for Respondent No.2- First Informant confirms that as the First Informant and Accused are close relatives, the dispute is settled and the First Informant has received her share. The First Informant is present in the Court and states that she has received her share out of the said consideration.

6. On the other hand, Ms. Mulekar and Mr. Mangaonkar, learned APP strongly opposes the Applications. They submit that the offence is very serious and custodial interrogation is necessary.

7. Perusal of record shows that all the Accused are very close relatives of the First Informant. Although the offence is very serious, however, the First Informant has received her share of consideration and both the parties have decided to file proceedings seeking quashing of F.I.R. by consent. Thus, in the facts and circumstances, custodial interrogation is not necessary.

8. Accordingly, by imposing conditions, the Applicant can be granted anticipatory bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicants- 1) Yunus Khan Sher Khan and 2) Umaid Khan Ayyub Khan in ABA No.1756 of 2025 and Applicants- 1) Naseembi Anis Khan, 2) Naeem Khan Anees Khan and 3) Aamir Khan Anees Khan in ABA No. 1748 of 2025 be released on bail in C.R. No.124 of 2025 registered with Malegaon Chhavani Police Station, Nashik Rural, on executing P.R. bond of Rs.5,000/- each and furnishing one or two sureties in the like amount.
- (ii) The Applicants shall attend the concerned Police Station as and when called by the Police and shall co-operate with the investigation.
- (iii) The Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(iv) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(v) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

9. The Anticipatory Bail Applications are allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)