

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

Anticipatory Bail Application No.1858 of 2025

Sharif Mohsmmed Bapu Thotttyli ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

Mr Rajiv Chavan, Sr Advocate a/w Shriya Patil, Anushka Bandekar, i/by Sonam Pandey a/w Jay Salunke for the applicant.

Mr Anand Shalgaonkar, APP for the respondent / State.

PI Uma Gawali, Kherwadi police station, Mumbai.

Coram : R.N.Laddha, J.

Date : 11 July 2025.

P.C. :

Leave to implead the first informant as party respondent to this application. Amendment shall be carried out within one week from today. After the amendment is carried out, issue notice to the newly added respondent. The investigating officer to serve the notice.

2. The learned Senior Counsel for the applicant submits that the applicant has been falsely implicated in the present case with malicious intent. He submits that the FIR has been lodged after an inordinate and unexplained delay which

significantly undermines the credibility and reliability of the allegations made therein. The learned Senior Counsel submits that there is a complete absence of any corroborative material or *prima facie* evidence on record to support the allegations levelled by the complainant. The incident in question is alleged to have taken place on 22 February 2023; however, the FIR came to be registered only in June 2025, more than two years later. This delay, coupled with the lack of justification for the same, clearly indicates that the FIR is motivated and tainted with malafides. The learned Senior Counsel also submits that the instant FIR is a counterblast to the complaint lodged by the applicant against the informant in November 2024 and thus, an act of retaliation.

3. The learned APP, however, seeks an accommodation to take instructions.

4. By consent stand over to **18 July 2025**. In the meantime, the applicant shall attend the concerned police station on 14, 15 and 16 July 2025, between 11:00 am and 2:00 pm, surrender his mobile phone and cooperate with the investigation. There shall not be any coercive action

against the applicant in the present crime till the next date.

[R. N. Laddha, J.]