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

Anticipatory Bail Application No.1927 of 2025

Abdul Aziz Gulam Hussain Jaffar
Dossa @ Amin Jaffar Pradhan
Aged 63 years, Occ: Business,
Room No.34, 114/126, 3rd Floor,
Hasanabad, Dr Mascarenhas Road,
Mazgaon,
Mumbai - 400010

... Applicant

versus

The State of Maharashtra
Byculla Police Station, Mumbai
At the instance of FIR No.217/2025

... Respondent

Mr Kamar Ali Shaikh, for the applicant.
Mr Pankaj Deokar, APP, for the respondent/ State.
Mr Vishwaraj Landge, i/b. Acharya Moorthy, for the intervenor.
IO-PSI Dongre, a/w. Pairavi Officer, API RM Bhoys, Byculla
Police Station, Mumbai, are present.

Coram: R.N. Laddha, J.
Date: 29 July 2025.

P.C.:

. Heard the learned Counsel for the applicant and the
learned Additional Public Prosecutor representing the
respondent / State.

2. By this application, the applicant seeks pre-arrest bail in connection with CR No.217 of 2025, registered at Byculla Police Station, Mumbai, for the offences punishable under Sections 420, 465, 468, 471 of the Indian Penal Code, 1860.

3. The learned Counsel for the applicant submits that the applicant has no involvement whatsoever in the commission of the alleged offence and is entirely unaware of the circumstances that form the basis of the allegations made in the FIR. The applicant is a senior citizen who is currently suffering from multiple health ailments. The learned Counsel further submits that FIR itself reveals that the informant lacks the requisite legal standing to file the present complaint. The informant claims to be the Chairperson of the society; however, no documentary evidence such as Resolution passed by the society or minutes of any meeting has been produced to demonstrate that the society had, at any point, authorised the filing of the complaint or initiation of proceedings against the applicant. This absence of authorisation casts serious doubt on the legitimacy of the FIR. Moreover, the FIR indicates that the present complaint is motivated by extraneous considerations and has been lodged at the behest of Shahnawaz Sultan Presswalla and Allabaksh Sultan Presswalla, who claim tenancy rights over the shop premises in question by way of inheritance.

It is apparent that there exist an internal dispute among family members concerning the ownership and possession of said shop and associated residential property.

4. The learned Counsel further contends that the allegations made in the FIR are purely of a civil nature, primarily relating to a familial property dispute between the applicant and his relatives. The criminal proceedings have been initiated through the informant with the sole intention of vexing and harassing the applicant under the guise of a criminal complaint. There is no disclosure of any cognizable offence in the FIR that would necessitate criminal prosecution, and under the given circumstances, the custodial interrogation of the applicant is wholly unwarranted and unjustified.

5. The learned APP, on instructions from the Investigating Officer, submits that the investigation in the present crime has been concluded and the prosecution is in the process of filing the charge sheet. The learned APP, in all fairness, further submits that the prosecution does not seek the applicant's custody.

6. Considering the nature of allegations and the fact that the investigation in the present crime has been concluded and

prosecution does not want the custody of the applicant, this Court deems it appropriate to allow the present application. Accordingly, following order is passed :

ORDER

(i) In the event of the applicant's arrest in connection with CR No.217 of 2025, registered at Byculla Police Station, Mumbai, the applicant 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 shall attend the concerned police station as and when required till filing of the charge sheet.

(iii) The applicant shall not tamper with the prosecution's evidence and influence the witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)