

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

ANTICIPATORY BAIL APPLICATION NO.2309 OF 2025

Mohammad Faisal Zakir Qureshi

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Shehbaz N. Shaikh for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent-State.

PSI Sandipt Jarande, Nirmal Nagar Police Station is present.

CORAM : N.R. BORKAR, J.

DATE : 16TH SEPTEMBER 2025

PC. :

1. This is an application for anticipatory bail.

2. The Applicant is apprehending his arrest in Crime No.455 of 2025, registered with Nirmal Nagar Police Station for the offence punishable under Section 305 of the Bharatiya Nyay Sanhita, 2023.

3. It is the case of the prosecution that first informant is a trustee of a charitable trust "Street Foundation". On the date of incident, which took place on 12th July, 2025 at about 7.30 p.m., the first informant had partially closed the shutter of his trust office and gone nearby. Upon returning to his office at about 8.00 p.m., he found that shutter of his trust office was open. He further found that cash amount of Rs.42,000/- and few documents were missing from his office. On verifying CCTV footage, the applicant was found entering into the trust office of the first

informant.

4. Learned Counsel for the Applicant submits that the Applicant is also one of the Trustee of the Trust. It is submitted that due to the dispute between them, the false FIR came to be lodged against him. In support of his submissions, Learned Counsel for the Applicant has placed on record the Whatsapp chat between the Applicant and the first informant.

5. On the other hand, Learned APP for the Respondent-State submits that recovery of stolen articles is to be made and therefore custodial interrogation of the present applicant is necessary. It is submitted that considering the nature of the crime, the Applicant may not be released on anticipatory bail.

6. It is not in dispute that the present Applicant is also one of the Trustee of the Trust in question. I have perused the Whatsapp chat between the Applicant and the first informant. *Prima facie*, there appears to be substance in the submission of the learned counsel for the applicant. In that view of the matter, I am inclined to grant anticipatory bail to the Applicant. Hence, the following order:

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. In the event of the arrest of the Applicant in Crime No.455 of 2025, registered with Nirmal Nagar Police Station for the offence punishable under Section 305 of the Bharatiya Nyay

Sanhita, 2023, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

- iii. The Applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

7. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)