

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

ANTICIPATORY BAIL APPLICATION NO.2622 OF 2025

Mohd. Majid Anwarulhaque Shaikh ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Prathamesh R. Salve i/by Vipul Patil for the Applicant.

Mr. B. V. Holambe Patil, APP for the Respondent-State.

API Rina Lohar, Ghatkopar Police Station is present.

CORAM : N.R. BORKAR, J.

DATE : 25TH SEPTEMBER 2025

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1. This is an Application for anticipatory bail.

2. The Applicant is apprehending his arrest in Crime No.830 of 2025 registered with Ghatkopar Police Station for the offences punishable under Sections 318(4), 319(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The first informant gave the premises owned by her on leave and licence basis to one Naeema Chaus. At the time of giving said premises on leave and licence basis, she took Rs.6,50,000/- as deposit from said Naeema Chaus. According to the first informant, after expiry of leave and licence period, she requested Naeema Chaus to vacate the premises. According to the first informant, on 15th April 2025 she went to the house of Naeema Chaus to return the amount of deposit and handed over to her

Rs.6,00,000/-. According to the first informant as said Naeema Chaus showed her inability to count the amount, at her instructions she handed over the said amount to the present Applicant for counting. It is alleged that after handing over the amount to the Applicant, she was required to rush to her house and therefore she came back to her house without waiting for Applicant to count the amount. It is alleged that when again she went to the house of said Naeema Chaus to return the remaining amount of Rs.50,000/- to her, she told the first informant that she did not receive the amount of Rs.6,00,000/-.

4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

5. Learned Counsel for the Applicant submits that the Applicant has lodged the report against one Mohammad Nafis Shamim and the present first informant for illegal occupation of premises by them. It is submitted that thus the false FIR came to be lodged against the present Applicant. It is submitted that there is no need of custodial interrogation and the Applicant is ready and willing to cooperate in the investigation.

6. On the other hand, Learned APP for the Respondent-State submits that there is a video clip of handing over the amount to the Applicant. It is submitted that there are statement of witnesses to that effect. It is submitted that to recover the said amount, custodial interrogation of the present Applicant is necessary.

7. I have perused the papers of investigation. There is enough material against the Applicant in the form of video clip and statement of witnesses. In that view of the matter, I am not inclined to release the Applicant on anticipatory bail.

8. The Anticipatory Bail Application is therefore rejected.

(N.R. BORKAR, J.)