

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2741 OF 2025**

Azam @ Ajam Iqbal Shaikh	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Ms. Misbaah Amin Solkar a/w Muskaan Momin, for the Applicant.
Mr. S.A. Karmakar, APP, for the Respondent-State.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 06th OCTOBER 2025**

PC:-

1. Heard Ms. Solkar, learned Counsel appearing for the Applicant and Mr. Karmakar, learned APP for the Respondent – State.

2. By the present Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with C.R. No. 1074 of 2024 registered with Hadapsar Police Station, Pune City, Pune for the offences punishable under Sections 115(2), 118(2), 189(2), 189(4), 190, 191(2), 191(3), and 352 of the *Bhartiya Nyaya Sanhita, 2023* (“**BNS**”) as also under Sections 37 (1) and Section 135 of the Maharashtra Police Act, 1951.

3. As per the prosecution case the First Informant and the Accused are closely related. There is some dispute going on between them regarding partition of the ancestral properties. It appears that on 02nd July 2024 when the incident took place there was discussion going on concerning the said partition dispute and at that time some altercation took place. The allegation against the present Applicant is that he has used sickle and injured the First Informant.

4. Ms. Solkar, learned Counsel submitted that the criminal case is false as dispute regarding partition of the ancestral property is going on. She further submits that in fact investigation is complete and chargesheet has been filed against 4 Accused. She therefore, submits that the Application be granted.

5. On the other hand Mr. Karmakar, learned APP strongly opposes granting of Anticipatory Bail. He submits that the offence is very serious and in the incident in question sickle is used. He further submitted that there are 7 antecedents and therefore, Applicant may not be granted Anticipatory Bail.

6. Ms. Solkar, learned Counsel submits that the Applicant will co-operate with the investigation and as far as the antecedents are concerned in all the antecedents the Applicant is released on bail.

7. Perusal of the record shows that even the FIR itself mentions that there is a dispute between the family of the First Informant and family of the Applicant concerning partition of joint properties. There are total 5 Accused. The Applicant is Accused No.2. Other Accused have been granted bail. Although, the FIR shows the Applicant is involved in the crime and the offence is very serious, however, the incident in question took place suddenly when the family of the Applicant and family of the First Informant were discussing about resolving the dispute concerning partition of ancestral land. Although, there are 7 antecedents, the antecedents are of the year 2016, 2018, 2019, 2021 and 2023 and in all the antecedents the Applicant has been released on bail.

8. Accordingly, the case is made out for grant of Anticipatory Bail by imposing strict conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant Azam @ Ajam Iqbal Shaikh in connection with C.R. No.1074 of 2024 registered with Hadapsar Police Station, Pune City, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs. 1,00,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Hadapsar Police Station, Pune City once in a week between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant 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.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]