

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2845 OF 2025

Zeeshan Chand Shaikh
Versus
The State of Maharashtra

...Applicant
...Respondent

Mr. Zeeshan Siddique (through Video Conferencing), for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent-State.
Mr. Harshad Kadam, API, attached to Khadak Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 13th OCTOBER 2025

PC:-

1. Heard Mr. Siddique, learned Counsel appearing for the Applicants and Ms. Yadav, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.242 of 2025 registered with Khadak Police Station, Pune, for the offence punishable under Sections 109, 118(2), 115(1), 352, 351(2), 189(2), 189(5), 190, 191(3),

194(2) and Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1), 37(3) and 135 of the Bombay Police Act, 1951.

3. The prosecution case is set out in paragraph No.3 of the order dated 4th October 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.4195 of 2025 filed by the present Applicant, by which the said application has been rejected. The said paragraph No.3 reads as under:

“3] The case of the prosecution is that on 29/04/2025 at about 11.45 p.m. the informant was sitting at his garage situated near Padamji Police Chowky, Nanapeth, having chat with his uncle Rizwan. Informant’s son Ayan came there and told him that he along with his friend were carrying T.V set on two wheeler. They had parked their motorcycle at 512 Galli, Harakanagar. At that time persons namely Faiyaj Shaikh living in the same area told him that not to park the vehicle on that place. Ayan asked him the reason but, Faiyaj kicked his motorcycle and beat him. On 30/04/2025 at about 00.15 hours the informant went to 512 Galli, Harakanagar with his uncle Rizwan Shaikh and his son Ayan. At that time Faiyaj Shaikh, Firoj Shaikh, Wasim Shaikh, Rihan Shaikh, Farhan Shaikh, Jishan Shaikh, Asif Shaikh were standing there. The informant asked Faiyaj as to why he had beaten his son and knocked down his motorcycle. Faiyaj attacked on him and said ‘are you messing around ? Don’t you want to live here ?’ and started abusing him. At that time Firoj Shaikh, Rihan Shaikh, Farhan Shaikh, Jishan Shaikh and Asif Shaikh, who were standing there starting beating informant and

his uncle Rizwan and his son Ayan. At that time their relatives Nasima Shaikh, Nafija Shaikh, Sahil Shaikh, Sahinaj Shaikh, Tabbasum Shaikh came there and started beating the informant and his son saying, ‘ don’t leave them, he is messing a lot, finish him’ . At that time Firoj Shaikh took out the knife and stabbed it upon the left side of back of Ayan with intention to kill him. At that time two police men came there and tried to rescue the informant and his son. The informant and his uncle Rizwan carried Ayan to Sassoon Hospital. The informant has lodged report about the incident with Khadak Police Station on 30/04/2025. On the basis of his report, CR no. 242/2025 came to be registered with Khadak Police Station.”

4. It is the main submission of Mr. Siddique, learned Counsel appearing for the Applicant that the only role attributed to the present Applicant is that he has assaulted the injured with fist and kick blows. He submits that the Applicant has not used the knife and the said allegation is against the other accused.

5. On the other hand, Ms. Yadav, learned APP strongly opposes the Anticipatory Bail Application. She submits that the injuries are grievous in nature, therefore, the Anticipatory Bail Application be rejected.

6. Perusal of the record shows that the incident in question took place due to dispute on parking of vehicle. Perusal of the

record further shows that as far as the present Applicant is concerned, there is no allegation that he has used the knife.

7. Mr. Siddique, learned Counsel appearing for the Applicant submits that the Applicant will cooperate with the investigation. He further submits that there are no antecedents against the Applicant.

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

ORDER

- (a) In the event of arrest of the Applicant-Zeeshan Chand Shaikh in connection with C.R. No.242 of 2025 registered with the Khadak Police Station, Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Khadak Police Station, Pune once in a 15 days i.e. on first and third Sunday of each month 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.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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