

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3343 OF 2025**

Mehboob s/o. Abdul Gaffar Shaikh	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Saeed S. Shaikh, for the Applicant.
Ms. R. V. Newton, APP, for the Respondent-State.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 4th DECEMBER 2025**

PC:-

1. Heard Mr. Shaikh, learned Counsel appearing for the Applicant and Ms. Newton, 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.182 of 2025 registered with Kalepadal Police Station, Pune, for the offences punishable under Sections 111, 308(5), 329(3), 351(2), 352, 189(2), 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 and under Section 4(25) of the Arms Act, 1959 and under Sections 37(1), 37(3), 135 of the Maharashtra Police Act, 1951.

3. The prosecution case is set out in paragraph Nos.2 and 3 of the order dated 17th November 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.5625 of 2025, which reads as under:

“2. Afore crime emerged from the report dated 16/05/2025 lodged by the informant Imran Shaikh, alleging therein that in the year 2021, he has purchased 5 R land out of S. No.16 Hissa No.1/2/2 situated at Uruli Devachi for the consideration of Rs.5,00,000/-. It is alleged that he has made wire fencing compound and constructed 10 X 10 Room over the said plot. It is alleged that on 29/04/2023, he received phone call of one Munna Jahagirdar inquiring that whether he is intending to sell the said plot. However, he flatly denied the proposal. It is alleged that in September 2023, he visited the said plot and found that someone has removed the wire fencing and demolished the temporary shed and there he noticed a cement compound over the plot along with teen shed construction along with flex of person namely Kaleem Shaikh and his wife and the site is proposed to be constructed by Jahagirdar Construction. On inquiry with the neighbourers, he came to know that Munna Jahagirdar has made a construction over the said plot. When he went to the office of Munna Jahagirdar, at that time, Munna Jahagirdar has informed him that the said plot is owned by him and caution the informant to not visit the said spot and thereafter, he was threatened that if he did not mend his way then he would teach lesson at Tipu’s darbar. After few days, he visited the said plot, where he noticed Tipu Pathan and his 4 - 5 henchmen, at that time, said Tipu Pathan threatened him on the point of knife.

3. It is further alleged that on 19/01/2024, Tipu Pathan called him at Siddheshwar Hotel, Hadapsar by making phone call. Accordingly, when he and his

friend went at designated place, at that time, said Tipu inquired about the earlier event about the property and thereafter, informed him that Munna Jahagirdar and Kaleem Shaikh are his relatives and do not raise dispute with them and asked extortion amount of Rs.15,00,000/-. On the basis of afore allegations, above crime is registered.”

4. It is the submission of Mr. Shaikh, learned Counsel appearing for the Applicant that the investigation is completed and the charge-sheet is filed against the co-accused. He submits that although the Applicant has shown as absconding, he has filed Anticipatory Bail Application on 14th August 2025 before the learned Additional Sessions Judge, Pune. He submits that the Applicant is always available. He submits that as the charge-sheet is filed against the co-accused, the investigation is completed. He submits that this Court has already granted pre-arrest bail to two co-accused by order dated 10th November 2025 passed in Anticipatory Bail Application No.2142 of 2025 and Anticipatory Bail Application No.1731 of 2025.

5. It is the further submission of Mr. Shaikh, learned Counsel appearing for the Applicant that apart from this FIR, there are 6 FIRs registered against the Applicant. He submits that all these FIRs are registered at the instance of one Parul Sayyad, who is local Corporator. He submits that as far as two crimes are concerned i.e. C.R. No.400 of 2025 registered with Kalepadal Police Station and

C.R. No.404 of 2025 registered with Kalepadal Police Station, the Division Bench of this Court by order dated 20th November 2025 passed in Criminal Application No.1290 of 2025 with Criminal Application No.1291 of 2025 directed that although the investigation to continue, however, charge-sheet be not filed qua the Applicant.

6. On the other hand, Ms. Newton, learned APP strongly opposes the Anticipatory Bail Application. She submits that the Applicant is involved in the crime and there are six antecedents against the Applicant. Therefore, she submits that the Anticipatory Bail Application be rejected.

7. Perusal of the record shows that the charge-sheet is already filed against the co-accused, thus, the investigation is almost completed.

8. Mr. Shaikh, learned Counsel appearing for the Applicant submits that the Applicant will completely co-operate with the investigation. Although there are six antecedents against the Applicant, as far as two crimes are concerned, the Division Bench of this Court has directed that although the investigation to continue, however, charge-sheet be not filed qua the Applicant. Two co-accused have already been granted pre-arrest bail by this Court.

Thus, in the facts and circumstances, the case is made out for grant of Anticipatory Bail by imposing stringent conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Mehboob s/o. Abdul Gaffar Shaikh in connection with C.R. No.182 of 2025 registered with the Kalepadal Police Station, Pune, 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 Kalepadal Police Station, Pune, on 10th December 2025, 11th December 2025 and 12th December 2025 between 11:00 a.m. to 02:00 p.m. and shall cooperate with the investigation.
- (c) The Applicant shall attend the Kalepadal Police Station, Pune, on every Monday between 11:00 a.m. to 01:00 p.m. till conclusion of the trial. In addition, the Applicant shall attend the concerned Police Station as and when called.
- (d) 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.

- (e) 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.
- (f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (g) 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.]

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