



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 136 OF 2025

Mohammad Shahebaz Shaikh s/o Mahemmod Patel Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.V. Navlani, counsel for the applicant.

Mrs. S.S.Dhote, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 15/04/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 673/2024 registered with Police Station Tiwasa, District Amravati for the offence punishable under Sections 118(1), 140(4), 189(2), 189(4), 190, 351(2), 351(3) of the Bhartiya Nyay Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant and after perusing the recitals of the FIR, it reveals that the allegations against the present applicant is that he was abducted by the co-accused and thereafter taken in front of the house of the present applicant, wherein he was assaulted by fist and kick blows and the wooden log. On the basis of the said report, police have registered the crime.

Learned counsel for the applicant submitted that as far as the present applicant is concerned, general allegations are levelled against him. In view of that, interim protection granted to the present applicant deserves to be confirmed.

3. Learned APP strongly opposed the said application and submitted that the allegations against the present applicant are of assault on the informant therefore, his custodial interrogation is required, in view of that, the application deserves to be rejected.

She further submitted that applicant has not mentioned about the criminal antecedents in the application. On that ground also, the application deserves to be rejected. As far as the criminal antecedents are concerned, the applicant has filed on record, the unconditional apology and submitted that inadvertently, he has not given the information as to the criminal antecedents.

4. After hearing both sides and on perusal of the investigation papers, it reveals that as far as the custodial interrogation is concerned, there is no allegation that he has either used any weapon or that a weapon is to be recovered from the present applicant. He has already cooperated with the investigating agency, as far as the criminal antecedents are concerned, his unconditional apology is already taken on record. Considering the same,

the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order.

- a] The criminal application is **allowed**.
 - b] The interim protection granted to the present applicant by order dated 03/03/2025 is hereby confirmed.
 - c] The applicant shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
 - d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
5. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]