



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

CRIMINAL APPLICATION(BA) NO. 1085 OF 2025

Rehan Aspak Sheikh Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.M.N.Ali, counsel for the applicant.
Mr.Anant Ghogare,APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 10/11/2025

1) The applicant is arrested in Crime No.322 of 2025 registered with Police Station Koradi, district Nagpur City, for the offence punishable under Sections 109 and 132 of the Bharatiya Nyaya Sanhita, 2023.

2) On 23.08.2025, on the occasion of *Tanha Pola*, the complainant was on duty. He received the information that one suspicious vehicle of black colour, having black film is proceeding towards Nagpur from Koradi. Accordingly, at about 17.15 hours, complainant found one jeep bearing No. MH-40/CH-4777 coming from the side of Koradi, they gave an indication to stop the vehicle. However, the driver of the said vehicle rushed his vehicle on them. As a result, thereof,

PI Sudhakar Patmase got dashed and sustained grievous injury. In spite of attempting to stop vehicle, driver of the said vehicle ran away by driving his vehicle rashly in excessive speed and by disobeying the directions. Staff of the Crime Branch chased the said vehicle and the said vehicle came to be intercepted by them. The traffic Branch has arrested the applicant near Kalpana Talkies, Mankapur. Therefore, the complaint was lodged by the complainant and the crime was registered.

3) The learned counsel for the applicant has stated that this is the case of accident and disobedience, the offence under Section 109 will not be attracted. In reply, the non applicant has stated that it is the rash and negligent act of the applicant. The only provision of rash and negligence will be attracted, which is a bailable offence. Hence, prayed to release the applicant on bail.

4) Learned APP has opposed the application stating that the applicant has disobeyed and put the vehicle on his person. There was fracture. The complainant was on duty and he tried to stop the vehicle, instead of stopping the vehicle, he put the vehicle on his person. The intention was there, hence prayed to reject the application.

5) Heard both the sides and perused the record.

6) On perusal of the reply, it appears that the non applicant has stated about rash and negligent act of the applicant. Instead of stopping the vehicle, he tried to drive

the vehicle in speed and ran away and dashed the police person. Considering the conduct of the applicant and as intention was not to commit any offence, the case is made out to release the applicant on bail. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Rehan Aspak Sheikh be released on bail in Crime No.322 of 2025 registered with Police Station Koradi, district Nagpur City, for the offence punishable under Sections 109 and 132 of the Bharatiya Nyaya Sanhita, 2023 on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall co-operate the Investigation Officer.

7. The Criminal Application stands **disposed of** accordingly.
8. Pending application/s if any, is/are stand/s disposed of.

JUDGE