



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

CRIMINAL APPLICATION (ABA) NO. 870/2025

Shabir Khan Gulsher Khan Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. N. Sarda, Advocate h/f. Mr. Aniket Sawal, Advocate for the Applicant.

Ms T. H. Udeshi A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 19/11/2025.

. Heard.

2. The learned A.P.P. waives service of notice for non-applicant/State.

3. The applicant has apprehension of arrest in Crime No.228 of 2025 registered with Police Station Pipalgaon, District Buldhana for the offence punishable under Sections 7 and 3 of the Essential Commodities Act, 1955.

4. The prosecution case in a nut shell is as under :-

Upon receipt of complaint from Tahsildar Khamgaon and other Ration Card holders about the less supply of monthly quota of grains received under the Ration Card. Complaint was lodged. It is alleged that the consolidated supply of grains for the months of June 2025, July 2025 and August 2025, the grains of only 2 months were given, though the thumb impression were obtained for all the three months. After the receipt of complaint, statements of 125 Ration Card holders were recorded and upon

inspection of records it was seen that, wheat and rice were misappropriated with the aid of the present applicant by the co-accused Suresh Khotre and Bilal Khan. The Crime is registered.

5. The learned counsel for the applicant has stated that the applicant is not the owner of the said shop. The allegations are made that at the time of the misappropriation, the applicant was present there. The accused no.1 is arrested and is released on bail. The custodial interrogation of this applicant is not necessary. Hence, prayed to release the applicant on bail.

6. The learned A.P.P. has opposed the application and stated that the applicant was present when the accused nos.1 and 2 compelled the ration card holders to give thumb impression after giving two months ration on the documents that they received three months ration and the applicant was there when the accused no.1 duped four persons. Considering his role, the custodial interrogation of this applicant is necessary. Hence, prayed to reject the application.

7. Heard both the sides.

8. It appears that the accused no.1, who is the owner of the shop is already released on bail. The main allegations about misappropriation are against the accused no.1. Considering the allegations that he was present at the time, when the accused no.1 had

committed said misappropriation, the custodial interrogation of this applicant is not necessary. Hence, the application is allowed. Accordingly, I pass following order:

i] In the event of arrest of the applicant in connection with Crime No. 228 of 2025 registered with Police Station Pipalgaon, District Buldhana for the offence punishable under Sections 7 and 3 of the Essential Commodities Act, 1955, he shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

ii] The applicant shall not in any way tamper with the prosecution evidence.

iii] The applicant shall not pressurize or threaten the prosecution witnesses.

iv] The applicant shall attend the concerned police station on every Monday between 7:00 p.m. to 9:00 p.m.

v] The applicant shall co-operate the Investigation Officer.

Application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)