



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL WRIT PETITION NO. 30 OF 2026

Abdul Kaleem Ahmed Alias Boss Abdul Raheem

....Petitioner

VERSUS

The State Of Maharashtra

.....Respondent

.....

Advocate for the Petitioner : Mr. Kulkarni Suvidh S.

APP for Respondents: Mr. K.K. Naik.

Advocate for informant : Mr. P.R. Katneshwarkar, Senior Counsel
i/b. Mr. Majit Shaikh.

CORAM : MEHROZ K. PATHAN, J.

DATE : 7th JANUARY, 2026.

P.C. :-

1. The petitioner has approached this Court seeking relaxation of condition imposed vide order dated 12.12.2025 passed by the learned Sessions Judge below Exhibit-1 in Criminal Bail Application No. 918 of 2025, particularly, clause 2(a) of the operative order, wherein, it is directed that the applicant shall not enter or visit Parbhani except for one day before the trial court date and on the date of trial and one day after the trial court date.

2. The contention of the petitioner herein is that the petitioner is an Ex-Councillor of the Municipal Council, Parbhani and the elections are likely to be held from 15th January, 2026 as per the Schedule. The applicant had proposed to contest the election as a Councillor and has, therefore, sought relaxation of the condition by filing an application before the Sessions Court, being Criminal Misc. Application No. 107 of 2025. The Additional Sessions Judge, Parbhani has considered the request of the petitioner as well as the objection filed by the complainant and the victim lady and rejected the application. The petitioner is thus challenging the said order dated 1.1.2026 in the present writ petition.

3. The learned counsel for the petitioner submits that during the pendency of the said application, the petitioner has already submitted his nomination form for contesting the elections from Ward No.6-D in the city of Parbhani. The petitioner is allotted the ticket for the said election from a known political party. The elections are likely to be conducted on 15.1.2026. Thus, at least till the time the elections are over, the petitioner may be allowed to enter the Parbhani city by relaxing the condition No. 2(a) imposed by the Sessions Court vide its order dated 12.12.2025 while releasing the petitioner on regular bail.

4. It is further submitted that the petitioner is an Ex-Councillor and has been deliberately dragged in the present crime. The learned Sessions Judge has, therefore, found that there was hardly any evidence against the petitioner and hence released the petitioner on bail, however, a condition is imposed only by way of an abundant precaution. Even there is no offence registered as against the petitioner earlier and the petitioner is a law abiding citizen and ready to abide by any condition that may be imposed by this Court, if the condition No.2(a) is relaxed for a temporary period or permanently.

5. As against this, Shri Naik, the learned APP, vehemently opposes the application on the ground that the offence alleged is serious in nature and the applicant appears to have forcibly performed marriage of the victim lady thereby defaming them in the entire community. The learned Senior counsel Shri Katneshwarkar, appearing for the complainant submits that the applicant is an Ex-Councillor and is having criminal antecedent. One offence under Section 307 is already registered earlier against the petitioner. Taking into consideration the criminal antecedents against the petitioner, the learned Sessions Court has rightly imposed the condition upon the petitioner, not to enter into the Parbhani city as the same would intimidate the complainant and the victim. It is

further submitted by the learned Senior Counsel that despite of such condition, not to enter the city of Parbhani, the petitioner was found wandering in the city of Parbhani on 22.12.2025, 24.12.2025 and 26.12.2025. It is also contended that the petitioner was also present in the marriage of one Munir Mirza on 24.10.2025. It is further submitted that during the pendency of the application for relaxation of condition, the petitioner has filled the form for elections by entering the city of Parbhani despite the condition imposed upon him not being relaxed by the Sessions Court or by this Court. Thus, the conduct of the petitioner shows that the applicant has no regards to the rule of law. It is further submitted that the petitioner had conducted a rally after the filling of his nomination form and took the rally in front of the house of the complainant and made abusive gestures towards the house of the complainant alongwith hundreds of his supporters. Accordingly, a complaint is filed by the complainant at Police Station, Nava Mondha, District Parbhani , on 6th January, 2026 alongwith the CCTV footage of the rally undertaken by the petitioner, despite such condition having been imposed not to enter the city of Parbhani. The petitioner has failed to make out a case for relaxation of condition and the writ petition may therefore be rejected.

6. I have considered the submissions advanced by the learned counsel for the petitioner, the learned APP and the learned Senior Counsel Mr. Katneshwarkar assisted by Mr. Majit Shaikh. Perusal of the order dated 12.12.2025 shows that the petitioner's conduct in the said crime was taken note of, and it was found that the petitioner was absconding since the date of commission of offence. Role of the petitioner was also noted in forcibly performing the marriage of Dr. Abdul Salim with Dr. Neha who was working in the hospital of Dr. Harun Tamboli in full public view. The offence is serious in nature and therefore taking note of the gravity of the offence and role of the petitioner, who

was the then Councillor of city of Parbhani, the conditions were imposed not to enter the Parbhani city, except for the trial court date and one day before and one day after the trial court date.

7. The petitioner had filed application before the learned Sessions Court for relaxation of condition, however, even before any order could be passed on the said application finally deciding the application either way, the petitioner had entered the city of Parbhani and filed his nomination paper, as the last date for filing nomination was 30.12.2025. The complaint dated 6th January, 2026 filed by Mr. Abdul Raheman Tamboli, the complainant herein, shows that the petitioner has taken out a rally in the city of Parbhani on 30.12.2025. There are allegations that the the petitioner was found wandering in the city of Parbhani on 22.12.2025, 24.12.2025 and 26.12.2025, even without the relaxation of condition by the learned Sessions Judge.

8. Thus, taking into consideration the conduct of the petitioner in flouting the conditions with impunity, I am not inclined to exercise the discretion to relax the condition No.2(a) imposed upon the petitioner by the learned Sessions Judge, while releasing him on regular bail. The conditions imposed are only with an intention to ensure a fair trial without any intimidation to the complainant and the victim lady. Considering the conduct of the petitioner, there is every likelihood that the petitioner, if allowed to enter into the city of Parbhani, may again indulge into overt acts of threatening or intimidation to the complainant and the victim lady. I am, therefore, not inclined to entertain the present petition. The writ petition stands dismissed and disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE.

grt/-