

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CR. ANTICIPATORY BAIL APPLN. NO. 36 OF 2026**

Ayyubali Mahamud Shaikh

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Saurabh Tandale h/f Mr. Abdul Qadhir Auti a/w Mr. Pratik Jadhav, Mr. Shivratna Wagh Advocate for Applicant.

Ms. Veera Shinde APP for the State

Mr. A. H. Kamble, PC, 1073, Barshi Taluka Police Station, Dist. Solapur

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 27th JANUARY 2026.

P.C.

1. Applicant is apprehending his arrest in C.R. No. 348 of 2025 registered with Barshi Taluka Police Station, District: Solapur for offences punishable under Sections 115(2), 118(1), 118(2), 189(1), 190, 191 (2), 191(3), 351(2), 352 of Bhartiya Nyaya Sanhita, 2023.

2. F.I.R. is lodged by Usman Pathan alleging that on 4/11/2025 when he was present in his house, at that time Gani Maheboob Mulani had come towards his house and told, "your son sent messages to his daughter Reshma and so you tender apology to his son-in-law". Then, at about 9:30 pm complainant had been in the Vasti of field of Bhalchandra Jadhav for tendering apology. In the said field, Gani Maheboob Mulani, Amin Gani Mulani, Saddam Gani

Mulani and Reshama Shaikh and her husband Ayubtullah Munail and Shamina Gani Mulani were present. At that time, these persons abused to his son Raju Pathan. Complainant told to them that they came for tendering apology, then why they were abusing. At that time, all of them attacked on him and his son. Gani Mulani assaulted to his son by means of iron rod. He also assaulted to Raju Pathan by means of stick when he was fallen on surface. Amin Gani Mulani assaulted to his son by means of sword on his forehead. Reshma Shaikh assaulted by means of stone. Ayubtullaha Shaikh assaulted to Raju Pathan by means of iron rod and Shamina Gani Mulani abused to them. In the said assault, son of informant became unconscious. He was refereed towards Jagdale Mama Hospital, Barshi. He was injured and unconscious. After two days he gained consciousness. Thereafter, the complainant went to the police station and lodged complaint.

3. Heard learned advocate for the applicant and learned APP for the State instructed by the officer from the concerned police station. Perused investigation papers.

4. Though according to the informant, applicant assaulted his son with iron rod, medical certificate does not support this allegation, there are no corresponding injuries on the person of his son. The iron rod allegedly used by the applicant is recovered from the spot of incident. Prima facie, it appears that the applicant is falsely

implicated in the present crime. The applicant is teacher by profession and his custodial interrogation is not warranted in the facts of the present case. The applicant is granted interim protection and he has co-operated in the investigation.

5. In the result, the application is allowed by confirming the interim protection granted by this Court vide order dated 19th January 2026.

6. Till filing of the charge-sheet, the applicant shall attend the concerned police station as and when called by the Investigating Officer.

7. The applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)

IRESH
MASHAL

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