IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3400 OF 2026

Rabiya Imran Shirgaonkar
@ Rabiya Noman Bhamla … Petitioner
V/s.
The State of Maharashtra & Ors. …. Respondents

Mr. Mubin Solkar a/w Mr. Tahir Hussain, Mr. Anas K. Shaikh, Mrs. Mehrosh Solkar, Mr. Zahid Burud, Ms.Tahera Qureshi and Mr.M. Undre i/by Mr. Atiya Shaikh, for the Petitioner.

Ms. S. M. Yadav,APP for the Respondent No.1-State.

Mr. Sunny Waskar (through VC) i/by Mr. Dilip Gupta a/w Mr. Avinash S. Kori, for Respondent Nos.2 to 6.

CORAM : MADHAV J. JAMDAR, J.

DATED : 7 OCTOBER 2026

P. C. :-

1. Heard Mr. Solkar, learned counsel appearing for the Petitioner, Ms. Yadav, learned APP appearing for the Respondent No.1-State and Mr. Waskar, learned counsel appearing for Respondent Nos.2 to 6.

2. By this writ petition, challenge is to the legality and validity of the order dated 23 March 2026 passed by the learned Additional Sessions Judge, Borivali Division, Dindoshi, Mumbai in ABA No.84 of 2026.

3. By the impugned order, the said Anticipatory Bail Application has been allowed and Respondent Nos.2 to 6 have been granted Anticipatory Bail in connection with C.R. NO.6 of 2026 registered with Aarey Police Station, Mumbai.

4. It is the submission of the learned counsel appearing for the Petitioner that the impugned order is totally perverse and various aspects are not at all taken into consideration. To support the said contentions, reliance is placed on paragraph nos. 8 and 9 of the impugned order.

5. On the other hand, learned counsel appearing for Respondent Nos.2 to 6 submits that this is a case for grant of Anticipatory Bail. However, learned counsel, on instructions, states that as it is the contention raised by the learned counsel for the Petitioner that various aspects are not taken into consideration, the impugned order dated 23 March 2026 be quashed and set aside and matter be again remanded back to the learned Sessions Judge for fresh disposal. However, learned counsel appearing for the Respondent Nos.2 to 6 states that contentions of the parties be kept open and the protection granted by said order dated 23

March 2026 be continued, till disposal of the said ABA No.84 of 2026.

6. Accordingly, by consent of the Petitioner and Respondent Nos.2 to 6 and as there is substance in the contention raised that various aspects are not taken into consideration while passing the impugned order dated 23 March 2026, the said order dated 23 March 2026 passed by the learned Additional Sessions Judge, Borivali Division, Dindoshi, Mumbai in ABA No.84 of 2026 is quashed and set aside and said ABA No.84 of 2026 is restored to the file of the learned Sessions Court at Dindoshi.

7. Learned Additional Sessions Judge is requested to pass fresh order after considering the rival submissions. Learned Additional Sessions Judge is also requested to dispose of the said ABA No.84 of 2026 on or before 5 December 2026.

8. It is clarified that the contentions to be raised by all parties are expressly kept open.

9. Till disposal of the said ABA No.84 of 2026, no coercive steps be taken against Respondent Nos.2 to 6.

[MADHAV J. JAMDAR, J.]