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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.2993 OF 2025

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Mohd. Saif Mushtaq Chasmawala	...Applicant
V/s.	
State of Maharashtra	...Respondent

Mr.SatyaJoshi (through V.C.) with Ms.Shivani Kondekar, Ishan Paradkar and Malhar Kadam for the Applicant.

Mr.Arfan Sait, APP for the Respondent – State.

Mr.Kedar, API attached to Mumbra Police Station is present in Court.

CORAM : R.M. JOSHI, J.
DATE : 29TH APRIL, 2026.

P.C. :-

1. At the outset, learned counsel for the Applicant submits that the Division Bench of this Court has passed an order on 29th May, 2025 in Criminal Writ Petition No.1980 of 2025 making the following observations :

“1. Considering the grievance made on behalf of the petitioner, the Learned APP, on instructions of Mr. Rohit Kedar, API Mumbra Police Station, submits that the CCTV footage of Mumbra Police Station and the CCTV footage of the relevant Toll Nakas from Caesar Road, Amboli, Andheri to Mittal

ground, near Bohri Kabristan, Mumbra from 15th March 2025 at 00:00 hours to 18th March 2025 at 00:00 hours shall be preserved. Learned APP on instructions also makes a statement that the CDR of the members of the police team as mentioned in the FIR and more particularly, the part of the FIR on Page 35 of the petition shall also be preserved. Statement made on behalf of the respondents is accepted as an assurance to this Court.”

2. It is his submission that in spite of the directions of this Court was to preserve the CCTV footage of the places mentioned in the order, the CCTV footage of these places are not made available. It is his further submission that since the CDRs of the members of the police team are not provided to the Applicant, the Applicant was required to file an application before the learned Trial Court seeking direction to that effect.

3. Learned APP on instructions from the Investigating Officer present before the Court makes statement that on 12th June, 2025, the police personnel went to the places mentioned in the order dated 29th May, 2025. He makes further statement that the CCTV footage of 15th March, 2025 were not available and hence not seized. In this regard he referred to the affidavit filed of Dr.Dnyaneshwar Chavan, Joint Commissioner of Police in Criminal Writ Petition No.1980 of 2025.

4. Insofar as CDRs of the concerned officer is concerned, he makes statement that all those CDRs of the relevant date are available with the concerned police station.

5. Since the said CDRs are not in the custody of the Trial Court, the question of asking the Applicant to seek the copies thereof from the Trial Court does not arise. The prosecution is directed to produce the same.

6. At the request of the learned APP, stand over to 30th April, 2026.

(R.M. JOSHI, J.)