

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.3994 OF 2025

Mohammed Amin Mohammed Hasan : Applicant
Versus
Sr. Police Inspector
Chavani Malegaon Police Station & anr. : Respondents

Mr. Mateen Shaikh a/w Mr. Muskan Shaikh, Mr. Ejaz Shaikh
and Adv. Razique Shaikh for the Applicant.
Mr. Shishir Hiray, Special PP a/w Mr. Tanveer Khan, APP and
Adv. Shubham Joshi and Adv. Sanjay Kokne

CORAM : ASHWIN D. BHOBE, J.

DATED : 07 MARCH 2026

PC:-

1. Heard Mateen Shaikh, learned Advocate for the Applicant, and Mr. Shishir Hiray, learned Special PP for Respondent No.1.
2. By this Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks bail concerning FIR No.40 of 2025 registered with Chhavani Police Station, Malegaon City, District Nashik, for offences punishable under Sections 318(4), 336(3), 340(2), 61(2), and 338 read with Section 3(5) of the BNS, 2023, as well as Sections 8 and 11 of the Prevention of Corruption Act, 1988

(“said FIR”). The said crime is registered as Special Case No.84 of 2025 and is pending before the Additional Sessions Judge, Malegaon, District Nashik.

3. There are 22 Accused in the said FIR. The Applicant herein is Accused No.7.

4. The Applicant was arrested on 13 February 2025 and has been in jail since then. The Bail Application at Exhibit 32, filed by the Applicant in Special Case No.84 of 2025, was rejected by the Additional Sessions Judge on 03 September 2025.

5. Mr. Mateen Shaikh, learned Advocate for the Applicant, submits that the allegations against the Applicant are that he was running a Customer Service Center to assist people in obtaining PAN cards, Aadhar Cards, Birth Certificates, Domicile Certificates, etc. He argues that the allegations against the Applicant involve preparing affidavits without the deponents' presence by forging their signatures for financial gain. He states that Khalid Akhtar Mohammed Yusuf (Accused No.4), in the present crime, against whom similar allegations of preparing false documents without the deponents' presence and forging their signatures for monetary gain have been made, has been released on anticipatory bail by the Hon'ble Supreme Court in Special Leave to Appeal (Crl) No.4952 of 2025 by order dated 09 July 2025. A photocopy of the order dated 09 July 2025 passed by the Hon'ble Supreme Court is on record and marked “X” for identification. He submits that,

being similarly placed, the Applicant is seeking bail on the ground of parity. He submits that the Applicant has no antecedents.

6. Mr Shishir Hiray, learned Special PP for the Respondent/State, submits that the material on record is sufficient to indicate the Applicant's involvement in the present crime. He, however, fairly submits that the allegations against Khalid Akhtar Mohammed Yusuf (Accused No.4) are similar to and identical with those against the Applicant.

7. Mr. Shishir Hiray, learned Special PP, on instructions, confirms that the Applicant has no previous criminal record.

8. Heard Arguments. Perused the record and order dated 09 July 2025, passed by the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No.4952 of 2025.

9. Perusal of the chargesheet, and more specifically, the allegations against Khalid Akhtar Mohammed Yusuf (Accused No.4) and the Applicant, suggests that the allegations are similar and that the role assigned to the Applicant is identical to that assigned to Khalid Akhtar Mohammed Yusuf (Accused No.4) in the present crime. In such circumstances, Mr. Mateen Shaikh would be justified in seeking bail on the ground of parity. Furthermore, the Applicant has been in jail for almost a year.

10. Mr. Shishir Hiray submits that strict conditions may be imposed, including a condition that the applicant should not

enter Malegaon City/Malegaon Tahsil until charges are framed.

11. Mr. Mateen Shaikh, on instructions from the Applicant, states that until the framing of the charge in Special Case No.84 of 2025, the Applicant shall not enter the jurisdiction of Malegaon City/Malegaon Tahsil. Statement accepted.

12. In view of the above, the present Bail Application is allowed on the following conditions:-

a. Applicant is directed to be released on bail in connection with FIR No. 40 of 2025 registered with Chhavani Police Station, Malegaon City, District Nashik, for the offences punishable under Sections 318(4), 336(3), 340(2), 61(2), and 338 r/w Section 3(5) of the BNS, 2023, and under Sections 8 and 11 of the Prevention of Corruption Act, 1988, on executing a P.R. Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two local sureties of like amount to the satisfaction of the Additional Sessions Judge, Malegaon, District Nashik.

b. Applicant shall not directly or indirectly make any inducement, threat, or promise to any person/s acquainted with facts of the accusation, in order to dissuade him from disclosing such facts to the Court or to any police officer.

c. Applicant shall not tamper with the prosecution witnesses and evidence in any manner.

d. Applicant, upon his release, shall, within three days, furnish his cell phone number, contact details, and residential address with proof to the Investigating Officer at Chhavani Police Station, Malegaon City, District Nashik, and shall keep this information updated in case of any changes.

e. The Applicant shall surrender his passport, if any, to the Investigating Officer at Chhavani Police Station, Malegaon City, District Nashik within three days of his release.

f. The Applicant shall report to the Investigating Officer of Chhavani Police Station, Malegaon, District Nashik, on the 2nd Saturday of every month from 10.00 am to 12.00 pm till further orders from the Additional Sessions Judge, Malegaon, District Nashik.

g. The Applicant shall not enter the territorial jurisdiction of Malegaon City/Malegaon Tahsil until the charge is framed in Special Case No.84 of 2025, except for reporting to the Investigating Officer and/or

attending the day-to-day hearings in Special Case No.84 of 2025.

h. The Applicant shall attend each hearing date in Special Case No.84 of 2025 regularly, unless exempted.

13. The Criminal Bail Application No.3994 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)