

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 114 OF 2026

Nina Anwar Merchant	...Applicant
<i>Versus</i>	
Rameez Kairdin Kabirdin Meghani	...Respondents

Mr. Aditya Nithe a/w Nikhil Wable and Dushyant Digamber i/by
Jaykar & Partners, for the Applicant.
Mr. Kapil Dave a/w Tejas Vora, for Respondent Nos.1 to 4.
Mr. Arfan Sait, APP for the Respondent No.5 -State.
PSI – Miraje, Bandra Police Station, present.

CORAM: R. M. JOSHI, J.
DATED: 30th APRIL, 2026.

PC:-

1. The matter has appeared on board for the first time. Issue notice to Respondents. Mr. Dave, learned counsel for Respondent Nos.1 to 4 and Mr. Sait, learned APP, waives notice on behalf of Respondent No.5 – State.
2. By consent of both the sides heard forthwith.
3. This Application takes exception to the order dated 1st December, 2025, passed by the Sessions Court in Bail Application No.2762 of 2025 in connection with CR No.714 of 2024, registered with Bandra Police Station.
4. Heard learned counsel for both the sides.

5. Amongst the other contentions, the main contention of the Applicant and objection to the order is to the extent of the observation made by the Sessions Court that the dispute appears to be civil in nature. Learned counsel for the Applicant submits that the observation may affect the trial. He therefore seeks appropriate clarification.

6. Perusal of the order indicates that the observations made by the Sessions Court are *prima facie* in nature. However, in order to ensure that no ambiguity remains, this Court finds it appropriate to clarify that the observation with regard to the civil nature of dispute being made by the Sessions Court is *prima facie* in nature and is restricted to decision of bail application and the same shall not affect the trial or case of rival side in any manner whatsoever.

7. With this clarification, Application stands disposed of.

(R. M. JOSHI, J.)