

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 11 OF 2026

Yusuf Anwar Shaikh ...Appellant
Versus
The State of Maharashtra & Anr ...Respondents

Mr Chinmay Godse, with Rajan Gunani, for the Appellant.
Mr Chandrakant Mali, APP, for the Respondent-State.

CORAM: R. M. JOSHI, J.

DATED: 13TH JANUARY 2026

PC:-

1. Learned counsel for the Appellant submits that the Trial Court has rejected the Application for pre-arrest bail solely on the ground that the Application is not maintainable under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989. It is his further submission by drawing attention of the Court to the First Information Report ('FIR'), so also, the supplementary statement of the informant that the Appellant was admittedly not present at the spot. It is thus his further submission that question of utterance of any abusive words against caste of the informant does not arise.

2. Prima facie perusal of the FIR, so also, supplementary statement, which came to be recorded on 8th July 2024 supports

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the contention of the Counsel for the Appellant. In this case, there is every chance of the embargo created by Section 18 having no application. In the result, following order.

ORDER

- (a) There shall be ad-interim relief in terms of prayer clause (b) till next date of hearing.
- (b) Issue notice to the Respondents.
- (c) Learned APP waives service on behalf of the Respondent-State.
- (d) Note of Respondent No.2 is made returnable on 6th February, 2026.
- (e) Learned APP to instruct concerned Police Station to intimate the Respondent No.2 about pendency of this Appeal.

(R. M. JOSHI, J.)