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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1275 OF 2026

Reshma Kadar Shaikh : Applicant.

Versus.

The State of Maharashtra : Respondent

Ms. Chaula Solanki a/w Advocates H. H. Nagi, Niranjana Pradhan, Dev Shah Supriya Mishra and Omna Shinde i/by Nagi & Associates for the Applicant.

Mr. Sukanta Karmakar, APP for the Respondent.

API Shilpa D Nimkar, Koregaon Park Police Station, Pune present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 08 MAY 2026

PC:-

1. Heard Ms. Chaula Solanki, learned Advocate for the Applicant and Mr. Sukanta Karmakar, learned APP for the Respondent/State.

2. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that the Application filed by the Applicant under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), is premature. He refers to Exhibit-B, page 36, to submit that only a notice under Section 179 of the BNSS has been issued to the Applicant. He submits

that under Section 179 of the BNSS, the Applicant is required to record her statement as a witness. He further submits that the Applicant is avoiding compliance with the said notice, for reasons best known to her. He on instructions from the Investigating Officer, submits that when the Investigating Officer visited the Applicant's residential house in Mumbai to record her statement, the Applicant was not found at the place.

3. Ms. Chaula Solanki, learned Advocate for the Applicant, on instructions from the Applicant, states that the Applicant will comply with the notice dated 23rd March 2026, issued under Section 179 of the BNSS (Exhibit -B to this Application). However, she states that the Applicant is 74 years of age, presently has difficulties and is unable to travel to Pune.

4. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that as the Applicant is unable to travel to Pune due to the difficulty expressed by Ms. Chaula Solanki, learned Advocate for the Applicant, the Investigating Officer shall visit the Applicant's place and record her statement under Section 179 of the BNSS. However, he submits that the Applicant must be at her place and should cooperate.

5. Ms. Chaula Solanki, learned Advocate for the Applicant on instructions, states that the Applicant is presently at her residence, will cooperate with the Investigation Officer and

will be available during working hours on any day in the next two weeks.

6. In view of the above, Ms. Chaula Solanki, learned Advocate for the Applicant, does not press this Application.

7. Criminal Application No.1275 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)