



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

CRIMINAL APPLICATION [ABA] NO. 165 OF 2026

*SHAIKH MOINUDDIN SHAIKH AJIMUDDIN **VERSUS***
STATE OF MAH, THRU. P.S.O., P.S., KHAMGAON RURAL, DIST. BULDHANA

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. V. R. Borkar, Advocates for the applicant
Mr. N. S. Autkar, A.P.P. for the non-applicant/State.

CORAM : M. W. CHANDWANI, J.
DATE : MARCH 05, 2026.

1. Heard the learned counsel appearing on behalf of the applicant.
2. Issue notice to the non-applicant/State, returnable on 17.03.2026.
3. Learned APP waives service on behalf of the non-applicant/State.
4. The applicant is apprehending arrest in connection with Crime No. 42/2026 registered with Police Station, Khamgaon Rural, Dist. Buldhana for the offences punishable under Section 303(2) and 324(3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 21(1) and 21(2) of the Mines and Minerals (Regulation and Development) Act, 1957.
5. It appears from the FIR that Naib Tahsildar, Khamgaon and other officials of Tahsil office, Khamgaon conducted a raid at Deulkhed area where illegal excavation of minor minerals was being carried out. A JCB machine bearing registration No. MH-56-A-1823 was seized from the spot. Accordingly, a panchanama was

prepared and a report came to be lodged with Khamgaon Rural police station.

6. The contention is that the applicant is the owner of the seized JCB machine and he is not directly involved with the said crime. When the raid was conducted, the applicant was not even present at the spot of incident.

7. Considering the submissions and the fact that the case-diary is not available with the Court for perusal at this juncture, a case is made out for grant of ad-interim protection to the applicant.

i) Pending the application, in the event of arrest of applicant- Shaikh Moinuddin Shaikh Ajimuddin in connection with Crime No. 42/2026 registered with Police Station, Khamgaon Rural, Dist. Buldhana for the offences punishable under Section 303(2) and 324(3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 21(1) and 21(2) of the Mines and Minerals (Regulation and Development) Act, 1957, he shall be released on bail on furnishing a PR bond of Rs.25,000/- with one solvent surety in the like amount.

ii) The applicant shall attend the concerned Police Station on 7th, 10th, and 14th March, 2026 between 10.00 am and 12.00 noon and shall co-operate in the investigation.

(iii) The applicant shall not indulge in tampering with the prosecution evidence and shall not pressurize the prosecution witnesses in any manner.

(M.W.Chandwani, J.)