



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

CRIMINAL APPLICATION (ABA) NO.263 OF 2026

Mohammad Atiq Mohammad Shafiq Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.I. Khan, Advocate for applicant (through VC).

Shri A.M. Ghogare, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.

DATE : 09.04.2026.

1. The applicant is apprehending his arrest in connection with Crime No.317/2026 registered with Police Station, Balapur, District Akola for the offence punishable under Sections 74, 115(2), 351(2), 351(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The contention of the applicant is that the victim and the applicant were in a consensual relationship and under the pressure of her parents, the victim has lodged the present FIR.

3. Issue notice to the non-applicant, returnable on **28.04.2026.**

4. Shri Ghogare, learned APP waives service of notice on behalf of the non-applicant and prays for time to file reply.

5. Perusal of the FIR reveals that the victim has accepted the friend request of the applicant on social media and a mobile phone was also accepted by the victim. Therefore, *prima facie*, the possibility of the relationship being

consensual cannot be ruled out at this stage.

6. Considering the submissions and the nature of allegations, a detailed scrutiny of the case diary is necessary, which is not available at present. In the meanwhile, the applicant can be granted ad interim protection. Hence, the following order:

ORDER

(i) Pending the application, in the event of arrest in connection with Crime No.317/2026 registered with Police Station, Balapur, District Akola for the offence punishable under Sections 74, 115(2), 351(2), 351(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023 the applicant – **Mohammad Atiq Mohammad Shafiq** be released on bail on furnishing a PR bond of ₹25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station on every Sunday and Thursday between 10.00 am to 12.00 noon and cooperate with the investigating authority, till filing of the charge-sheet.

(iii) The applicant shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.

(iv) The applicant shall not contact the victim girl in any manner or visit the house of the victim. Breach of this condition would give cause to the prosecution to move for cancellation of bail.

(M.W. Chandwani, J.)

Wagh