



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

CRIMINAL APPLICATION (ABA) NO. 416 OF 2026
(Shakil Ahmad Nizamuddin Siddiqui & Ors. V/s State of Maharashtra)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. D. M. Dixit, Advocate for Applicants.
Ms. R. V. Sharma, APP for Non-applicant/State.

CORAM : PRAVIN S. PATIL, J.
DATE : JUNE 12, 2026.

. Heard.

2. By the present Application, Applicants are seeking pre arrest bail in Crime No. 213/2026 registered with Police Station, Pachpaoli, Nagpur (City) for the offence punishable under Sections 109, 115(2), 118(1), 189(4), 191(3), 296, 332(c), 351(3) and 352 of Bhartiya Nyay Sanhita, 2023.

3. The prosecution case in brief is that, on 3/4/2026 at about 2.30 p.m. the Informant Tarik Ahmad along with his father Irshad Ahmed Siddiqui, brother Talib, Tahir and nephew Kaunen were present in the Gas Repairing Shop and doing gas repairing work. At that time, Asif Siddiqui came there and asked them to stop the work, as children in his house were facing trouble and abused them in obscene language. When the brother of Informant namely Tahir intervened, Mohd. Asif abused him.

4. Thereafter the Applicant No.1 along with his three sons namely, Ashraf Ahmad Siddiqui, Arshad Ahmad Siddiqui and their uncle Sagir Ahmade Siddiqui, one Juber Ahmad Siddiqui, Bashir Siddiqui, Ajmal, Guddulala, Aslam Ahmad Siddiqui and three-four persons came there. Applicant No.1 Shakil Ahmad was armed with iron rod and wooden stick while Applicant No.3 Ashraf was armed with knife. The Applicants and other co-accused assaulted the Informant and above named persons by means of wooden stick, cricket bat, iron pipe, iron rod, tiles and cement blocks with intent to kill them.

5. Therefore, the Informant lodged report to the Police Station, Pachpaoli against the Applicants and other co-accused. On the basis of such report, offence came to be registered against the present Applicants.

6. On the basis of allegations made against the present Applicants, learned APP submits that custody of the Applicants would be necessary, and therefore, the Applicants are not entitled for pre-arrest bail.

7. The learned Counsel for Applicants has pointed out that counter-complaint is lodged by the Applicants against the Informant. It is also pointed out by the Applicants that the Applicants herein are also caused serious injuries in the said incident and they were hospitalised. According to him, the

Applicants are ready to extend their co-operation to the Investigation Officer during the course of investigation. It is the submission of the learned Counsel for Applicants that custodial interrogation of the Applicants is not necessary in the facts and circumstances of the present matter. No recovery is required to be effected from the Applicants and the entire case is based on the documentary and electronic evidence including FIR, medical papers, CCTV footage and video recordings which were already collected by the investigation agency.

8. The learned Counsel for Applicants also pointed out that in the counter-complaint this Court has already granted interim protection to the Informant. Therefore, considering the fact that alleged incident is arising out of the similar offence, present Applicants are entitled for protection.

9. In the light of this submission and on perusal of the case papers I am of the opinion that Applicants are entitled for protection in the matter. In the result, following order is passed.

ORDER

1. Criminal Application is allowed.
2. In the event of arrest in Crime No. 213/2026 registered with Police Station, Pachpavali, Nagpur (City) for the offence punishable under Sections 109, 115(2), 118(1), 189(4),

191(3), 296, 332(c), 351(3) and 352 of Bhartiya Nyay Sanhita, 2023, the Applicants – (i) Shakil Ahmad Nizamuddin Siddiqui; (ii) Basir Ahmed Siddiqui; and (iii) Mohd Ashraf Siddiqui be released on furnishing PR Bond in the sum of Rs. 50,000/- with one solvent surety each in the like amount.

3. The Applicants shall attend the Police Station, Pachpaoli on Saturday and Sunday of every week in between 11.00 a.m. to 2.00 p.m. till filing of the chargesheet in the matter and shall co-operate in the investigation.
4. The Applicants shall, at the time of execution of bond, furnish their address and telephone/mobile number(s) to the Investigating Officer and the Court concerned, and shall not change the same till the final disposal of the case.
5. The Applicants shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.
6. The Applicants shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the Police.
7. The Applicants shall maintain law and order.

8. In case of breach of any condition, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

10. The Criminal Application stands disposed of accordingly.

[PRAVIN S. PATIL, J.]

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