

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE &
DISTRICT JUDGE-9, PUNE.**

**CRIMINAL BAIL APPLICATION No. 984/2026
(CNR No.: MHPU01-002342-2026.)**

Mr. Shoib Rashid Qureshi

Vs. State

:Order below Exh. 01:

(Dated 07th March, 2026)

The present application is filed by the applicant/accused for regular bail under Section 483 of BNS in connection with C.R. No.349/2025 registered with Khadki police station, for the offences punishable U/Ss.109, 352, 351(2), 324, 3(5) of the BNS, 2023, U/s. 37(1) r.w. 135 of the Maharashtra Police Act, 1951, U/s. 7 of the Criminal (Amendment) Act 2013 and U/s. 4(25) of the Arms Act.

Facts in short, the prosecution case is as follows -

2] It is alleged that on 08/12/2025 at 09:00 a.m., the complainant after selling milk was coming to his house on HONDA Activ Scooter bearing No.MH-12-VF-2234. When he reached behind Hule Wines, near Sai temple, Khadki, at that time, one white colour Tata Sumo vehicle suddenly came from the opposite direction. The driver of the said vehicle, stopped his vehicle in front of the complainant. Therefore, the complainant asked him about this. That time, Malang Qureshi, Shahid Qureshi and their two unknown persons took out a sharp weapon from the said vehicle. They beat the complainant by sharp edged weapon and damaged his Activa scooter. Malang

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Qureshi threatened and assaulted to the complainant by sharp edged weapon. The complainant fell down. Thereafter, complainant went to the police station and lodged the complaint. On the basis of said complaint, the above mentioned crime has been registered against the applicant and co-accused.

3] The applicant in his application stated that the allegations made against his are false, frivolous and vexatious. He is nothing to do with the alleged offences. His name is not mentioned in the FIR. FIR is lodged due to previous enmity. He was not present on the spot. Charge-sheet has been submitted. Further custody of the applicant is not required. There is no recovery and discovery from this applicant. There is delay in lodging the FIR. The applicant is earning member in the family. He would obey all the terms and conditions that will be imposed on him.

4] The investigating officer has filed reply that this accused was present with the co-accused in the Tata sumo. In all four accused assaulted the complainant by sharp edge weapon, he sustained grievous injury. Involvement of this applicant has been revealed. Witnesses have seen this accused in the Tata sumo. Nature of offence is serious, possibility of tampering and threatening, possibility of repetition of crime. In all three crimes are registered against this applicant. He is habitual offender, possibility of tampering, threatening the complainant and other witnesses. Hence prayed that application be rejected.

5] Ld. Advocate for the applicant in his arguments submitted that the co-accused who has been released on bail by this Court is a same role, therefore on the ground of parity this accused is entitled to be released on bail. Test identification parade not conducted. CCTV footage not collected, charge-sheet is submitted, no recovery from this applicant. Hence prayed that application be allowed.

6] The Ld. A.P.P. in her arguments submitted that all four accused came on the spot with deadly weapons. Two accused assaulted the complainant by sharp edge weapon. The clothes of this accused has been seized. They were stained with blood. Injury to the complainant is grievous. This applicant has criminal antecedent. Hence prayed that application be rejected.

7] I have gone through the FIR, remaining papers of charge-sheet. As per FIR, in all four accused came in a Tata sumo, out of four complainant knows only two persons who have assaulted him with sharp edge weapon. The FIR does not show that this applicant has assaulted the complainant with sharp edge weapon. Upon perusal of the charge-sheet there is no recovery and discovery. Further prima facie it appears that this accused is not knowing to the complainant. No test identification parade has been conducted. CCTV footage has not been collected. The charge-sheet shows that one panchanama is there by which the clothes of this accused has been seized on 09/12/2025. The said clothes were stained with blood. But the seizure of clothes panchanama is to be considered only when the

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CA report is received, but at this stage prima facie appears that investigating officer has not conducted test identification parade.

8] Further investigation is completed, charge-sheet is submitted. The role of this applicant as per the prosecution story is that he was present with the remaining main two accused, that much only the role. Considering his role as well as considering the fact that charge-sheet is submitted, co-accused having similar role has been released on bail, this accused is also entitled to be released on bail.

9] Considering all these facts, the applicant has made out just and reasonable ground for release him on bail. Therefore, this application deserves to be allowed. Hence, I pass the following order:-

ORDER

01. Application is hereby allowed.
02. Release the applicant namely **Shoib Rashid Qureshi** on executing personal bond and furnishing surety bond of Rs. 50,000/- as per Section 483 of BNSS.
03. The applicant shall attend concerned Court regularly.
04. He shall not try to contact the complainant and other witnesses in any manner and shall not influence them.

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05. He shall not enter into the area in which the complainant and other witnesses reside till conclusion of trial.
06. He shall not repeat similar offence.
07. He shall produce proof of his permanent address and identity card while executing bond.
08. On breach of any of the above condition by the applicant, bail shall stands canceled without notice to the applicant.
09. Bail before concerned Court.

Date : 07.03.2026

(Sucheta M. Takalikar)
Special Judge &
Additional Sessions Judge, Pune