

MHCC050025172021



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO. 663 OF 2021
IN
(C.R. No. 269 of 2021 of Dindoshi Police Station)**

1) Mr. Irfan Walli Shaikh,

Age : 31 yrs., Occ : Nil.

2) Mr. Imran Walli Shaikh,

Age : 27 yrs., Occ : Nil,

All Indian Inhabitants of Mumbai, having
Flat No. 503, B-24, Sppl Colony Film City Road,
Behind Mantri Park, Dindoshi, Goregaon E,
Mumbai : 400 063

..Applicants

Vs

The State of Maharashtra

(through Dindoshi Police Station)

..Respondents

Ld. Adv. Lavkush Sharma, for the applicants.

Ld. APP Sachin Jadhav, for the State.

**CORAM : SHRI S. U. BAGHELE,
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO.09.**

DATE : 10th May, 2021

ORAL ORDER

This is an application for the grant of anticipatory bail under section 438 of the Cr.P.C., in connection with C.R. No. 269 of 2021, registered with Dindoshi Police Station, for the offences

punishable under sections 354, 323, 504, 506 read with section 34 of the Indian Penal Code.

2 Perused the application, the say filed thereon and the documents relied upon in support thereof.

3 Heard the learned counsel for the applicants and the learned APP for the State.

4 It is submitted by the learned counsel for the applicants that there was no intention to outrage modesty. Per contra, it is submitted by the learned APP that the applicants outraged the modesty of the informant and assaulted her with a rod.

5 As per the say filed by the police, dispute arose in relation to sweeping, whereafter the applicants are said to have assaulted the informant and outraged her modesty.

6 There does not prima facie appear to be an intention of outraging modesty, as the incident occurred out of sudden a quarrel. The rod is already recovered by the police. Thus, the applicants are entitled to anticipatory bail. Thus, I proceed to pass the following order :

ORDER

1) The application for the grant of anticipatory bail is hereby allowed and it is hereby directed that in the case of arrest of the applicants **1) Irfan Walli Shaikh and 2) Imran Walli Shaikh**, in connection with C.R. No. 269 of

2021, registered with Dindoshi Police Station, for the offences punishable under sections 354, 323, 504, 506 read with section 34 of the Indian Penal Code, they be released on bail, on their executing PR Bond of Rs. 15,000/- each (Rupees Fifteen Thousand Only), with one or more surety/sureties in the like amount each, on the conditions that they shall not tamper with the prosecution witnesses in any manner and shall co-operate with the investigating agency.

2) The concerned Police Station be informed accordingly.

3) Anticipatory Bail Application No. 663 of 2021 is hereby disposed of accordingly.

4) Parties to act on the copy of this Roznama duly authenticated by Court Sheristedar.

Dt. 10/05/2021

(S. U. BAGHELE)
Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dictated on : 10/05/2021
Transcribed on : 10/05/2021
Signed on : 11/05/2021

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

11/05/2021 at 3.19 p.m.
UPLOAD DATE AND TIME

Mrs. S.B. Vichare
NAME OF STENOGRAPHER

Name of Judge (with Court room no.)	HHJ Shri S. U. Baghele, City Civil & Sessions Court, Borivali Div., Dindoshi, Mumbai (C.R.No. 09)
Date of Pronouncement of JUDGEMENT/ORDER	10/05/2021
JUDGEMENT/ORDER signed by P.O. on	11/05/2021
JUDGEMENT/ORDER uploaded on	11/05/2021