IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 588 OF 2026

1. Imran Shaikh Kaleem Shaikh
2. Taufiq Javed Qazi

VERSUS

The State Of Maharashtra And Another

...

- Mr. Rajendrraa Deshmukkh, Senior Counsel i/by. Mr. Hashmi Ubaid S., Advocate for Applicants
- Mr. D. J. Patil, APP for Respondents - State

...

CORAM : MEHROZ K. PATHAN, J.

DATED : 05.05.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. Issue notice to the respondents, returnable on 23.06.2026. The learned APP waives notice on behalf of the respondent – State.

3. The applicants have approached this Court apprehending arrest in connection with FIR No. 09 of 2026 dated 08.01.2026, registered with Majalgaon Rural Police Station, District Beed, for the offences punishable under Sections 318(4), 335, 336(2), 340 and 3(5) of the BNS, 2023.

4. Learned Senior Counsel Mr. Rajendrraa Deshmukkh for the applicants submits that the applicants are office bearers of a trust, namely *Gulzar-E-Raza*. The trust had registered its Memorandum of Association with the Sub-Registrar bearing Registration No. 114 of 2022, which came to be wrongly mentioned on the portal as 998 of 2022. It is further submitted that the allegations against the trust and its office bearers are that the trust did not register itself within three months with the Charity Commissioner as required under Section 18 of the Maharashtra Public Trusts Act. Another allegation is that documents reflecting an incorrect registration number were submitted for opening an account with Axis Bank using a false registration number, which actually belongs to *Faizan-E-Kanzul Iman* organization and not to the trust run by the applicants.

5. Learned Senior Counsel Mr. Rajendrraa Deshmukkh further submits that the incorrect mention of the registration number on the 'Darpan' portal of NITI Aayog was an inadvertent mistake committed by a clerk handling the registration work of the trust, namely Mohammad Azhar Mohammad Qaisar Shaikh. A warning letter has been issued to him for negligence and appropriate action is being taken. It is further submitted that the incorrect registration number mentioned in the Gulzar-E-Raza foundation documents submitted to the bank, i.e., MSBW/ADR/513/2020, is also due to inadvertence on the part of the same clerk, and appropriate action has already been initiated against him by the trust.

6. It is further submitted that the observations made by the learned Sessions Court, while rejecting the bail application, regarding receipt of funds amounting to Rs. 25,00,000/- from Pakistan, are without any evidence and are based solely on the statement made by the Public Prosecutor without verification of facts. The said funds were received from an institution called *Dawate Islami Hind*, which operates in India and not in Pakistan. The learned Sessions Court has wrongly rejected the bail application on the basis of such allegations, which are not even part of the prosecution case either in the FIR or in the submissions made before the Sessions Court. The applicants have no criminal antecedents and are ready to abide by any conditions that may be imposed by this Court.

7. Learned APP Mr. Patil strongly opposes the application on the ground that serious discrepancies have been found during the course of investigation regarding the registration numbers mentioned by the foundation *Gulzar-E-Raza*, of which the applicants are office bearers. It is submitted that the registration number reflected in documents submitted for opening five bank accounts with Axis Bank does not belong to the applicant trust but belongs to *Faizan-E-Kanzul Iman*, District Ahilyanagar. Hence, custodial interrogation of the applicants is necessary. It is further submitted that although two co-accused have already been arrested and released on regular bail, there is a possibility of tampering with evidence. However, the learned APP fairly concedes that, as of now, there is no evidence to show that the funds received in the trust account are from *Dawate Islami Pakistan*. The record indicates that the funds were received from *Dawate Islami Hind*, Mumbai. The record shows that all the transactions carried out by the trust is documented and is through account transfer to the various employees of the religious institutions towards salary bills. The learned APP also fairly submits that none of the transactions from the accounts of the trust is shown to be used for any anti-national activities.

8. Considering the aforesaid submissions, and as the allegations presently pertain only to the use of an incorrect registration number, it would be appropriate, in the interest of justice, to direct the applicants to join the investigation.

ORDER

i. In the event of arrest of the Applicants – Imran Shaikh Kaleem Shaikh and Taufiq Javed Qazi, they shall be released on bail upon furnishing P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand only) each, with one or two solvent sureties in the like amount each, in connection with FIR bearing Crime No. 09 of 2026 registered with Majalgaon Rural Police Station, District Beed, for the offences punishable under Sections 318(4), 335, 336(2), 340 and 3(5) of the BNS, 2023, on the following conditions:

A) The applicants shall attend the Economic Offences Wing, Beed, on every Saturday and Sunday between 12:00 noon and 02:00 p.m., until further orders.

B) The applicants shall not leave the country without prior permission of the Court.

C) The Applicant shall also cooperate with the investigation.

D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

9. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the interim relief granted herein above.

10. The Investigating Officer shall make available the investigation papers on the next date of hearing.

11. Stand over to 23.06.2026.

(MEHROZ K. PATHAN, J.)

Jhs/