



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

CRIMINAL APPLICATION (ABA) No.423 OF 2026

(Naimoddin s/o. Nizamuddin Pathan Vs. The State of Maharashtra, through PSO, Police Station Nagpuri Gate, Tah. And Distt. Amravati)

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

Court's or Judge's orders.

Mr. T.U. Tathod, Advocate for applicant.
Mr. H.D. Marathe, APP for respondent.

CORAM : PRAVIN S. PATIL, J.
DATE : 11th JUNE, 2026.

1. This Court on 26th May, 2026 granted interim protection to the applicant by making specific observations in para 3 to 5 as under :

“3. Admittedly, the complainant is the wife of the applicant. There is a serious matrimonial dispute between the applicant and the complainant. Mr. Tathod, the learned counsel for the applicant, submits that because of such matrimonial dispute, the complainant had earlier lodged a criminal complaint against the present applicant, wherein offences were registered under Sections 498A and 506 of the Indian Penal Code by Police Station Nagpuri Gate, District Amravati, vide FIR No. 415 of 2020. The trial pursuant to such FIR has resulted in the acquittal of the present applicant vide judgment dated 09.01.2026 passed by the learned 21st Additional Chief Judicial Magistrate, Amravati, which is at record page No.19 (Annexure B).

4. The learned counsel for the applicant submits that even if the allegations made in the present FIR are accepted, and the

reasons recorded by the learned Trial Court for rejecting the anticipatory bail of the applicant are admitted, the only ground on which the present applicant has been denied the relief of anticipatory bail is the recovery of the stick alleged to have been used by the applicant.

5. The learned Sessions Court has recorded that the custody of the present applicant is required for the sole purpose of seizure of the aforesaid stick. Mr. Tathod, the learned counsel for the applicant, upon instructions, has made a statement that the applicant shall produce the stick before the Investigating Officer if granted protection by this Court.”

2. It is further informed that the applicant has attended the Police Station as directed by this Court and providing full co-operation in the investigation. The concerned Investigation Officer has also seized the weapons from the present applicant. As such, considering this fact it is clear that the custody of the applicant is not at all required in the matter.

3. In view of above, the application is allowed in terms of order passed by this Court dated 26th May, 2026.

4. The applicant shall co-operate and follow the conditions incorporated in the order dated 26th May, 2026 till the filing of the charge-sheet in the matter.

5. The application stands disposed of.

(PRAVIN S. PATIL, J.)