

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO.352 OF 2025

Binder Karansingh Gujjar @ Bindar Gujjar  
@ Virendra Karansingh Gujjar ... Applicant  
**Vs.**  
State of Maharashtra ... Respondent

Mr. Satyavrat Joshi a/w. Mr. Kalpana V. Chate, Mr. Sumitkumar Nimbalkar and Mr. Govind Mundhe for Applicant.

Mr. Amin Solkar, Special Public Prosecutor a/w. Mr. Umang Shah for Respondent - State.

Mr. A. Shaikh, API, DCB CID Unit.

**CORAM : MANISH PITALE, J.**  
**DATE : FEBRUARY 18, 2025**

**P.C. :**

1. Heard Mr. Joshi, learned counsel for the applicant and Mr. Solkar, learned special public prosecutor for the respondent-State.

2. This is third bail application filed by this applicant before this Court seeking bail. The second bail application of the applicant i.e. Bail Application No.2303 of 2023 was dismissed by an order dated 31.07.2024. In the said order, this Court recorded the progress of the trial before the concerned Court. It was also noted that in terms of an order dated 06.05.2024 passed by the Supreme Court in a special leave petition filed by sister of the victim, the Supreme Court had granted extension of time by eight months for completion of the trial and that the said period was to expire on 06.01.2025.

3. The learned counsel for the applicant submits that even till date, the trial is not completed. It is further submitted that one of the main reasons that has prompted the applicant to file this third bail application is the marriage of his daughter, which is to take place in Haryana. The

marriage is to take place in Gurugram Haryana on 20.02.2025 and the reception is fixed on 23.02.2025 at Palwal in Haryana.

4. It is submitted that since the trial is still not over and it may take further time, this Court may consider enlarging the applicant on bail, not only to attend the aforesaid marriage of his daughter but also on the ground that the applicant having been arrested in the year 2019, has already suffered incarceration for a period of about six years.

5. On the other hand, the learned special public prosecutor informs this Court that the request of the trial Court for short extension of time to complete the trial is pending before the Supreme Court and that in the meanwhile, the trial is being conducted on day-to-day basis. It is submitted that now only the investigating officer and the police officer, who submitted the charge-sheet remain to be examined. It is submitted that if the accused persons co-operate, recording of the evidence of the said remaining witnesses can be completed at the earliest and perhaps even by the end of this month.

6. Considering the said facts brought to the notice of this Court, it appears that the trial has substantially progressed and it is on the verge of completion of evidence of the prosecution witnesses. This further indicates that the trial is likely to be completed within the foreseeable future and therefore, the applicant cannot insist upon his prayer for bail being granted on the ground that he has suffered incarceration for about six years. It is relevant to note that the order dated 31.07.2024, dismissing the second bail application of the applicant, was challenged by the applicant by filing SLP (Criminal) No.12711 of 2024. The said SLP was taken up for consideration by the Supreme Court on 23.09.2024, when the counsel for the petitioner, on instructions, sought permission to withdraw the SLP and accordingly, it was dismissed as withdrawn.

7. This Court is of the opinion that the applicant has not been able to make out a case on the ground of long incarceration and the stage of the trial for favourably considering the present bail application. As regards the ground pertaining to the marriage of the daughter of the applicant, considering the seriousness of the offences registered against the applicant and the other accused persons and the fact that the marriage as well as the reception are to be held in Gurugram and Palwal (Haryana) respectively, this Court is of the opinion that it would not be safe to grant any relief to the applicant in the facts and circumstances of the present case, and therefore, even on the aforesaid ground, the present bail application cannot be considered favourably.

8. In view of the above, the application is dismissed. The concerned trial Court is expected to continue to conduct the trial on day-to-day basis so that the trial is completed within a reasonable period of time.

**(MANISH PITALE, J.)**

*Minal Parab*