

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 475 OF 2025

Shaurya Sunil Kumar Singh

....Applicant

Versus

Central Bureau Of Investigation,
Economic Offences Wing, Mumbai.

....Respondent

Mr. Ritesh Kalra along with Ms. Uroosa Shaikh i/b. Vanguard Law Group,
Advocate for Applicant.

Mr. Kuldeep Patil along with Mr. Anay S. Joshi, Ms. Sanika Joshi, Mr.
Digvijay Kachare and Mr. Sumitkumar Nimbalkar, Advocate for
Respondent-CBI.

Mr. S. S. Pednekar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking default bail in Crime No. RC0682025E0004 registered with Economic Offences Branch of the Central Bureau of Investigation, Mumbai for the offences punishable under Sections 61(2) read with 318, 336 and 340 of the Bharatiya Nyaya Sanhita, 2023, Section 7 of the Prevention of Corruption Act, 1988 and Sections 66 and 66(D) of the Information Technology Act, 2000.

2. It is contention of learned counsel for the applicant that though the charge sheet was filed within the prescribed time, the copy of the charge sheet was not supplied to the applicant. It is violation of Section

This order is corrected in view of speaking to the minutes' order dated 12.02.2026.

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193(8) of the Bharatiya Nagarik Suraksha Sanhita 2023 (for short “BNSS”). As this Section has not complied with learned counsel for the applicant requested to allow the application.

3. It is contention of learned SPP that the charge sheet was filed before the concerned Court within prescribed period. The charge sheet was voluminous. Hence, Registry had asked to provide the xerox copies of the said charge-sheet. Accordingly, the prosecution provided xerox copies to the Registry and then, copy of the charge sheet was supplied to the applicant. Learned SPP further submitted that as per Section 187(3) of the BNSS Act, the applicant is entitled to default bail when the charge sheet is not filed within the prescribed period and requested to reject the application.

4. I have heard both the learned counsel. The applicant is seeking default bail as the copy of the charge sheet was not supplied to him. Section 193(8) of BNSS reads as under:

“(8) Subject to the provisions contained in sub-section (7), the police officer investigating the case shall also submit such number of copies of the police report along with other documents duly indexed to the Magistrate for supply to the accused as required under section 230: Provided that supply of report and other documents by electronic communication shall be considered as duly served.”

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Section 230 of the BNSS Act reads as under :

“230. In any case where the proceeding has been instituted on a police report, the Magistrate shall without delay, and in no case beyond fourteen days from the date of production or appearance of the accused, furnish to the accused and the victim (if represented by an advocate) free of cost, a copy of each of the following:—

(i) the police report;

(ii) the first information report recorded under section 173;

(iii) the statements recorded under sub-section (3) of section 180 of all persons whom the prosecution proposes to examine as its witnesses, excluding therefrom any part in regard to which a request for such exclusion has been made by the police officer under sub-section (7) of section 193;

(iv) the confessions and statements, if any, recorded under section 183;

(v) any other document or relevant extract thereof forwarded to the Magistrate with the police report under sub-section (6) of section 193:

Provided that the Magistrate may, after perusing any such part of a statement as is referred to in clause (iii) and considering the reasons given by the police officer for the request, direct that a copy of that part of the statement or of such portion thereof as the Magistrate thinks proper, shall be furnished to the accused:

Provided further that if the Magistrate is satisfied that any such document is voluminous, he shall, instead of furnishing the accused and the victim (if represented by an advocate) with a copy thereof, may furnish the copies through electronic means or direct that he will only be allowed to inspect it either personally or through an advocate in Court:

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Provided also that supply of documents in electronic form shall be considered as duly furnished.

So, this section shows that the documents filed along with the charge sheet shall be supplied to the applicant. Section 187(3) of the BNSS Act states about default bail. It states that when charge-sheet is not filed within the prescribed period, the accused is entitled for default bail.

6. Now, the question remains whether the accused is entitled for default bail due to non-supply of copy of the charge sheet. In my view, specific provision is provided for default bail, when the charge sheet is not filed within prescribed period. Not providing a copy of the charge sheet cannot be a ground for granting default bail.

7. In view of the above, I pass following order:

ORDER

(i) The application is rejected.

(SHIVKUMAR DIGE, J.)

This order is corrected in view of speaking to the minutes' order dated 12.02.2026.