

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 958 OF 2025

Firoj Munawar Mansuri	...Applicant
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Atharva A.Dandekar a/w Mr. Hitendra Parab, for the Applicant.
Mr. S. S. Ghag, APP, for the Respondent - State.
Ms. Mallika Sharma, for Respondent No.2,

CORAM: R. M. JOSHI, J.

DATED: 17th APRIL, 2026

PC:-

1. Learned Counsel for the Applicant submits that this Court by order dated 21st August 2025 has directed the Trial Court to complete the recording of evidence of victim and her mother (informant) within six weeks. It is his submission that till date neither victim nor the informant is examined. It is his submission that Applicant is in jail from 7th September 2021 and there is no likelihood of commencement and completion of trial within a reasonable time.

2. Learned Counsel for Respondent No.2, records no objection for grant of bail. She, on instructions from the informant as well as victim who are present in the court, makes statement that neither informant nor victim wishes to prosecute the case further.

3. Learned APP opposes the application by submitting that no objection record by the victim or the informant is inconsequential. It is his submission that having regard to the serious nature of the crime, the Application be rejected.

4. No doubt, there is substance in the contention of the learned APP that only on the basis of no objection recorded by the informant or victim, the bail cannot be granted. However, question before this Court is as to whether there is any likelihood of the commencement and completion of trial in a reasonable time. In spite of specific direction of this Court by order dated 21st August 2025, none of the witness is examined before the Trial Court till date. This Court therefore finds substance in the contention of the Counsel for the Applicant that the possibility of completion of trial in a reasonable time is remote.

5. Coupled with these facts, now in view of the no objection recorded by the informant as well victim for grant of bail, one can foresee the fate of the trial also. Applicant has no antecedents. He is not likely to flee from justice. Hence, order.

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 1226 of 2021, registered with Malvani Police Station, Mumbai, for the offences punishable under Sections 376, 376(2)(F)(N)(M), 376(3), 377, 323, 506(2) of the Indian Penal Code, 1860 and Section 4, 5 (l) (m)(n), 6 of the Protection of Children from Sexual Offences Act, 2012.

- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.30,000/- with one or more sureties in the like amount, to the satisfaction of the Trial Court.
- iii) The Applicant shall not tamper with the prosecution evidence or attempt to contact, influence, threaten, or intimidate any witness, particularly the informant or his family members, in any manner whatsoever.
- iv) The Applicant to attend all dates of hearing before the Trial Court, unless exempted by specific order.
- v) Any breach of the aforestated condition shall result forthwith into cancellation of bail.

6. In view of the above, Application stands allowed and disposed of accordingly.

7. It is clarified that the above observations are made on *prima facie* consideration of the material on record and the same shall not bind the parties during the final hearing of the Trial Case.

(R. M. JOSHI, J.)

VDMokal/-