

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3427 OF 2025

Tejas Madhukar Desale	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

WITH

INTERIM APPLICATION NO. 3750 OF 2025

Chintaman Panduran Adhikar	...Applicant/ Intervenor
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Pawan Mali a/w Shraddha K. Nakadi i/by Mr. Rupesh K.
Bobade, for the Applicant.
Mrs. Veera Shinde, APP, for the Respondent - State.
Mrs. Yogita Deshmukh Chitnis, for the Intervenor.
PSI V. B. Manikeri, Palghar Police Station, is present.

CORAM: R. M. JOSHI, J.

DATED: 27th APRIL, 2026

PC:-

1. Applicant seeks bail solely on the ground that there is delay in conducting of the trial. He seeks bail in connection with Crime No. 250 of 2021 registered with Palghar Police Station, for offences punishable under Sections 302, 201 of the Indian Penal Code, 1860 (for short, "IPC").

2. Learned Counsel for the Applicant submits that the Applicant was arrested on 2nd November 2021 and after filing of

the chargesheet before the Competent Court, charge was framed against him on 26.09.2022. It is his grievance that since then leave apart commencement of trial, even muddemal has not been produced before the Trial Court till date. He is further argues that there are forty one witnesses cited by the prosecution and hence it is not possible that the trial would commence and conclude within a reasonable time.

3. Though learned APP opposed the application, she was unable to give any justification of whatsoever nature for non production of the muddemmal for a period of over three years.

4. Learned counsel for the intervenor/informant opposed the application by citing seriousness of the crime. She claims that the victim cannot be made to suffer to lapses, if any, on the part of the prosecution.

5. It is her submission that, at the instance on the application of the intervenor before the Trial Court directions was issued to the prosecution to produce muddemal, inspite of the same, no steps are taken. At this stage, learned Counsel for the intervenor apprehends pressuring of the witnesses at the hands of the applicant, as if, he is enlarged on bail.

6. Learned counsel for the intervenor seeks directions for expeditious trial.

7. Learned Counsel for the Applicant, on instructions, makes statement that Applicant would not enter into the jurisdiction of the Palghar Police Station.

8. It is a right of the accused to get expeditious trial. One can understand that the trial Court is busy and is burdened with other trial. Here in this case even muddemal was not produced by the prosecution before the Trial Court for a period of four years. This Court, therefore, finds substance in the contentions of the learned Counsel for the Applicant that trial is not likely to commence and concluded within a reasonable time. Thus, only on the ground of long incarceration, application stands allowed hence, following order :-

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 250 of 2021 registered with Palghar Police Station, for the offences punishable under Sections 302, 201 of the Indian Penal Code, 1860.
- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.30,000/- (Rupees Thirty Thousands only) with one or two sureties in the like amount, to the satisfaction of the Trial Court.
- iii) As undertaken the applicant not to enter the jurisdiction of the Palghar Police Station for a

period of a year, except for attending the police station and Court hearing

- iv) Learned Trial Court to expedite the hearing of the Sessions Case No. 98 of 2022 and make an endeavour to complete the trial within a period of a year from today.
- v) Applicant is directed to attend the concerned police station once in a month till conclusion of the trial.
- vi) The Applicant is directed to attend all dates of hearing before the Trial Court, unless exempted by specific order.
- vii) Applicant not to interfere in the evidence of the prosecution.
- viii) Any breach of the aforestated condition shall result forthwith into cancellation of bail.

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

10. 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/-