

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 135 OF 2026

Manish Eknath Morankar S/o.
Eknath Morankar And Anr.

...Applicants

Versus

The State of Maharashtra And Anr.

...Respondents

Mr. Shadab Jan a/w Mr. Joshu A. Borges i/b Ms. Saumya Kapoor,
learned Advocates for the Applicants.

Ms. Pallavi N. Dabholkar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th FEBRUARY 2026.

P.C. :

1. This Criminal Application was circulated by the Applicants vide *praecipe* dated 04.02.2026. Circulation was granted subject to service of notice on the Respondents.

2. Today, Mr. Shadab Jan, learned Advocate for the Applicants states that the Respondents have been served notice by a private mode and he tenders the Affidavit of Service dated 04.02.2026 along with Exhibits-A & B, which are taken on record and marked as “**X Colly.**” for identification. Paragraph No. 3 of the said Affidavit makes a reference to the mode of service.

3. By this Criminal Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”), the

Applicants have sought for the following substantive relief in terms of prayer clause (a) :-

“a) Pass an order directing the Hon’ble District & Additional Sessions Judge, Pune to dispose of Criminal Bail Application No. 4270 of 2025 expeditiously.”

4. Ms. Pallavi Dabholkar, learned A.P.P. appears on behalf of the State/Respondent.

5. Name of Respondent No. 2 was called out by the Sheristedar in the open Court. Despite calling names of Respondent No. 2, none appeared in the Court either physically or through Video Conferencing mode.

6. Considering the limited relief sought by the Applicants and the innocuous direction that is intended to be passed in this Criminal Application, notice on Respondent No. 2 is dispensed with.

7. Applicants apprehending arrest in crime bearing First Information Report No. 195 of 2025 dated 21.06.2025 registered with Bundgarden Police Station, District-Pune City for the offences punishable under Sections 420, 465, 468 & 471 read with Section 34 of the Indian Penal Code, 1860, had on 27.06.2025 filed an Application under Section 482 of the BNSS before the Sessions Court, which was registered as Criminal Bail Application No. 4270 of 2025.

8. Criminal Bail Application is pending since 27.06.2025, which

is being adjourned from time to time for the reasons mentioned in the Roznama of the said proceedings at Page Nos. 784 to 788 of the paper-book.

9. The Hon'ble Supreme Court in the case of ***Anna Waman Bhalerao v/s. The State of Maharashtra***¹, after taking note of inordinate delay in disposal of the Applications of Applicants for anticipatory bails/bail application, in paragraph no. 18 has issued the following directions :-

“a) High Courts shall ensure that applications for bail and anticipatory bail pending before them or before the subordinate courts under their jurisdiction are disposed of expeditiously, preferably within a period of two months from the date of filing, except in cases where delay is attributable to the parties themselves.

b) High Courts shall issue necessary administrative directions to subordinate courts to prioritise matters involving personal liberty and to avoid indefinite adjournments.

c) Investigating agencies are expected to conclude investigations in long-pending cases with promptitude so that neither the complainant nor the accused suffers prejudice on account of undue delay.

d) Being the highest constitutional fora in the States, High Courts must devise suitable mechanisms and procedures to avoid accumulation of pending bail / anticipatory bail applications and ensure that the liberty of citizens is not left in abeyance. In particular, bail and anticipatory bail applications shall not be kept pending for long durations without passing orders either way, as such pendency directly impinges upon the fundamental right to liberty.”

1. 2025 SCC OnLine SC 1974.

10. Ms. Pallavi Dabholkar, learned A.P.P. for the State/Respondent submits that the Bail Applications have to be considered expeditiously.

11. Mr. Shadab Jan, learned Advocate for the Applicants states that the next date in Criminal Bail Application No. 4270 of 2025 before the Trial Court is 20.02.2026.

12. Considering the directions issued by the Hon'ble Supreme Court in the case of ***Anna Waman Bhalerao*** (*supra*) and Criminal Bail Application No. 4270 of 2025 is pending since 27.06.2025, the District Judge and Additional Sessions Judge, 17th Court at Pune, who is seized with Criminal Bail Application No. 4270 of 2025, is directed to dispose of the said Criminal Bail Application expeditiously at any rate within a period of two months from 20.02.2026.

13. Needless to mention that Criminal Bail Application No. 4270 of 2025 be decided on its own merits and in accordance with law.

14. Criminal Application No. 135 of 2026 is disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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KOTAWADEKAR
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