

MHCC050025122026



**IN THE COURT OF SESSIONS, AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI**

**CRIMINAL BAIL APPLICATION NO.447 of 2026  
(CNR No.:MHCC05002512-2026)**

**IN**

**(C.R. NO.:613/2026 OF MALVANI POLICE STATION)**

**Triresh Umesh Meher,** ]  
Aged : 36 years, Occ: Service, House No.2, ]  
Versova Mandavi Lane, Ramie Road, Nr. Ice ]  
Factory, Versova, Andheri West, Mumbai – 400 ] ...  
061. **Accused/Applicant**

**V/s.**

**The State of Maharashtra** ]  
(At the instance of Malvani Police Station) ] **... Respondent**

**Appearance:-**

Ld. Advocate Arun Jadhav for Applicant / Accused.

Ld. APP Shri Sudhir Sapkale for the Prosecution/State.

**CORAM : H.H. ADDITIONAL SESSIONS JUDGE  
SHRI. N. D. KHOSE (C.R.NO.18)**

**Date : 24<sup>th</sup> June, 2026.**

**:: O R A L O R D E R ::**

The applicant/accused by name **Triresh Umesh Meher** by this application under Section 483 of The Bhartiya Nagarik Suraksha Sanhita, 2023 prays for regular bail in Crime No.613 of 2026 registered with Malvani Police Station, under Section 69 of the Bhartiya Nyaya Sanhita, 2023.

2. Perused the application and say filed by Learned APP at Exh.03. Perused the reply filed by Informant / Victim at Exh.04.

3. From the contents of FIR it reveals that, on 12.04.2026, Crime No.613 of 2026 came to be registered at Malvani police Station, under Section 69 of the Bhartiya Nyaya Sanhita, 2023. From the contents of FIR, it reveals that, informant is residing at Malad (W), Mumbai alongwith her mother and sisters. Informant is in private service. On 12/12/2025, informant and applicant met on Face Book. They personally meet each other at Churchgate, railway station and exchanged their mobile number. On 15/12/2025 again, informant and applicant met at Mahalaxmi Temple and applicant proposed informant for marriage. Informant accepted the proposal of applicant. After few days, applicant took informant at his house and introduced informant with his family members and told his family members that, they are going to marry. The parents of applicant consented for marriage. Informant was visiting at the house of applicant. On 20/12/2025, at about 11:00 a.m., when informant and applicant were wondering on Aksa Beach, applicant told informant that, he want to take rest and they will take rest at hotel. Both of them went to a hotel at Aksa Beach and there were physical relations between them. On 28/12/2025, when informant visited at the house of applicant, at about 01:00 p.m., applicant demanded for sexual favour to which, informant refused. However, applicant told informant that, he is going to marry with her and thereafter, again there were physical relations between them. Repeatedly, there were physical relations between them under the pretext of marriage at the house of applicant. In short, from the FIR, it reveals that, during the period of 20/12/2025 and later on, applicant

established physical relations with informant under the pretext of marriage and later on, refused for marriage.

4. From the contents of the application, it reveals that, applicant is innocent and falsely implicated. On 15/04/2026, applicant is arrested and since then, he is behind bar. The age of informant and applicant are of 36 years. Both of them were matured enough and were knowing as to the consequence of their act. Informant voluntarily accompanied applicant for physical relations. There were consensual physical relationship between applicant and informant. Investigation has been completed, charge-sheet is submitted, however, not committed. Applicant is not having any antecedent. Applicant is ready to abide any conditions, if so imposed on him, and will not misuse his liberty in any manner. Applicant is permanent resident of Mumbai, as such there is least possibility of his absconding.

5. From the say of Learned APP at Exh.03, it reveals that, the mobile handset of the applicant has been seized. From the what's App chat it transpired that, the negotiation of marriage in between the applicant and informant was in progress. If applicant is release on bail, possibility can not be ruled out that, he will pressurize the informant.

6. From the say of Informant at Exh.04, it reveals that, due to the refusal by applicant for marriage, informant went in depression, she was hospitalized and later on discharged from the hospital. When, informant had been to the house of the applicant, his entire family members tortured her. Applicant refused to marry with informant, as he is having love affair with some other girl, who was his first girlfriend.

Applicant established physical relations with informant, under the pretext of marriage and later on, not attended the call of informant and thereby, refused for marriage.

7. Heard Learned advocate for applicant/accused and Ld. APP for the State. It is vehemently argued by Ld. Advocate for applicant/accused that, on 15/04/2026, applicant is arrested and since then, he is behind bar. Charge-sheet has been submitted, however, same is not committed. Further detention of applicant is not necessary. Age of applicant and informant is 36 years, as such, both of them can be said to be having good understanding capacity. When, first physical relations had been allegedly established on 20/12/2025, same were not established under the pretext of marriage, at least there is no reference in FIR pertaining to that. Applicant and informant were in consensual physical relations. There was no refusal of marriage by applicant. Non-attending the call of informant doesn't mean that, applicant was never ready to marry with informant. No coercion was used. There is difference between breach of promise and false promise.

8. Per-contra, it is vehemently argued by Ld. APP that, applicant repeatedly established physical relations with informant under the pretext of marriage and later on refused for marriage.

9. It is argued by informant that, due to the first girlfriend of the applicant, applicant refused to marry with her.

10. I have gone through the documents filed by applicant and documents filed by informant.

11. From the contents of FIR, it reveals that, applicant established physical relations with informant, on 20/12/2025, 28/12/2025 and then after repeatedly. According to informant, she has permitted applicant to establish physical relations as applicant assured her that, he will marry with her.

12. On perusal of FIR, it came to my notice that, on 20/12/2025, there were first physical relations between the applicant and informant in a room at Aksa Beach. FIR not discloses that, on 20/12/2025, at the time of first physical relations, applicant assured informant that, he will marry with her. On perusal of FIR, it came to my notice that, on 28/12/2025 and thereafter, applicant established physical relations with informant under the pretext of marriage. However, there is no whisper in the FIR that, on 20/12/2025, at the time of first physical relations, applicant assured informant to marry with her and as such, informant permitted applicant to establish physical relations with her.

13. Moreover, from the record, it reveals that, the age of applicant and informant is 36 years. Both are unmarried. Had it been so, to my mind, it can be said that, applicant and informant were knowing as to the consequence of their act and they were fully matured and having good understanding capacity.

14. Record not prima facie, discloses that, the consent of informant was obtained either under fear or misconception. Record prima facie discloses that, there were consensual physical relations between informant and applicant. Whether, informant permitted

applicant to establish physical relations with her relying upon the assurance by applicant that, he will marry with her, can be determined after recording of evidence.

15. From the record, it reveals that, from 15/04/2026, applicant is behind bar. Investigation has been completed and charge-sheet has been submitted, though it is not committed to the court of Session.

16. Record not prima facie discloses that, since beginning, applicant was intending to marry with informant. Had applicant was never willing to marry with informant, he would not taken informant to his house and introduced her to his parents. Definitely, there is difference between breach of promise and false promise. At the most, present case seems to be of breach of promise and not seems to be of false promise.

17. From the record, it reveals that, after few months, applicant avoided to keep contact with informant, it doesn't prima facie means that, applicant was not intending to marry with informant.

18. As mentioned earlier, since 15/04/2026, applicant is behind bar. Investigation has been completed and charge-sheet has been submitted. As mentioned above whether consent of informant was obtained by promising her to marry with her is a matter of evidence. Fact remains that, applicant is behind bar since 15/04/2026 and investigation has been completed.

19. To my mind, definitely some period is required for framing of charge and commencement of trial. To my mind, applicant can not be kept behind bar for uncertain period, if otherwise, he is entitled to get bail. To my mind, if, certain conditions are imposed upon the applicant, that would suffice the purpose.

20. Considering the nature of offence, punishment provided for it, keeping in mind that, investigation has been completed, charge-sheet has been submitted (even if not committed), further keeping in mind that, since 15/04/2026, applicant is behind bar, I am of the view that, further detention of the applicant is not necessary and if some conditions are imposed upon him, that would suffice the purpose. Hence, I proceed to pass following order: -

#### ORDER

1. Criminal Bail Application No.447 of 2026 is allowed.
2. Applicant/Accused by name **Triresh Umesh Meher** be released on regular bail under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, in Crime No.613 of 2026 registered with Malwani Police Station, under Section 69 of the Bhartiya Nyaya Sanhita, 2023 on executing P. B. of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** with solvent surety in the like amount, on following conditions:
  - (a) Applicant/Accused shall not tamper with the prosecution witnesses.
  - (b) Applicant/Accused is directed not to misuse his liberty in any manner.
  - (c) Applicant/Accused shall not directly or indirectly make any inducement and/or influence and or pressurize or cause any

threat or give any promise to anybody acquainted with the facts of accusations made against the applicant so as to dissuade such person from the disclosing such facts to the court or to the investigating agency and shall not tamper in any manner whatsoever with the prosecution evidence.

- (d) Applicant/Accused is directed to attend the Court regularly, and not to misuse his liberty in any manner.
3. Accordingly, bail application No.447 of 2026 is disposed off.

Date : 24.06.2026

**(N. D. Khose)**  
Additional Sessions Judge  
City Civil & Sessions Court,  
Borivali Division, Dindoshi.

Direct Dictated on computer on : 24.06.2026

Checked and HHJ signed on : 24.06.2026

|                                                                              |                                                                        |
|------------------------------------------------------------------------------|------------------------------------------------------------------------|
| CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER” |                                                                        |
| Date : 24.06.2026<br>Time : 01.20 p.m.<br>UPLOAD DATE AND TIME               | Ms.Madhura M. Palav.<br>(Stenographer Grade-I)<br>NAME OF STENOGRAPHER |
| Name of the Judge (with Court room no.)                                      | HHJ Shri. N. D. Khose<br>Court Room No.18                              |
| Date of Pronouncement of JUDGMENT/ORDER                                      | 24.06.2026                                                             |
| JUDGMENT/ORDER signed by P.O. on                                             | 24.06.2026                                                             |
| JUDGMENT/ORDER uploaded on                                                   | 24.06.2026                                                             |