



Criminal Bail Application No. 1199/2026

**Faisal Abdulla Khan Vs.
State of Maharashtra Nayanagar Pol. Stn. Dist.Thane**

Order below Exh.1

1] Applicant **Faisal Abdulla Khan**, who is accused in C.R. No.84/2026 P.S. Nayanagar for committing offence under Sections 64 (1), 308 (2), 115 (2) and 351 (2) of Bharatiya Nyaya Sanhita, 2023 has filed this instant bail application for grant of bail. The applicant is in jail from 14.04.2026.

2] From the F.I.R. and charge-sheet the prosecution story is as under :-

During the year 2021 when the applicant was teaching driving to victim, they developed a consensual love relationship. In April 2021 the applicant and victim shared physical intimacy and thereafter remained in regular contact through phone calls and messages. On 06.08.2021 physical relations were established between the applicant and the victim and thereafter such relations continued. The applicant later started pressurizing the victim for physical relations and extended threat and exploited her financially alongwith threats and coercion. Hence, FIR was lodged.

3] The Ld. Advocate for applicant submitted that this is the second bail application. Earlier bail application was filed before charge-

sheet. Now charge sheet is filed. The custodial interrogation of accused is not required. There is delay of 5 years in lodging FIR. There was consensual physical relations between the applicant and the victim. Victim is major married woman and with her consent the physical relations had taken place. Though applicant has criminal antecedents but he has been acquitted in one POCSO case. He is ready to abide by any conditions imposed by this Court. Hence, this application.

4] The Ld. DGP and I.O. had strongly resisted this application by filing Say vide Exh.6. According to Ld. DGP, in the investigation it was revealed that applicant had taken photos and videos, while having physical relations with applicant and was threatening to make that videos viral on social media, if he is not given Rs 1,00,000/-. He had also assaulted victim on public places and has harassed her. If he is released on bail there is possibility that he might pressurize the witnesses as he has criminal antecedents. Hence, application be rejected.

5] The victim is present before the Court. She has stated that applicant had assaulted her in front of her minor children in public place. Because of this case her marital life is disturbed and now there are settlement going on with her husband. She is planning to shift her residence to some other place so that applicant will not reach her in future. She prayed that application be rejected.

6] In this case, charge-sheet is filed. In the FIR it is staged that applicant and victim was having consensual physical relations. However the relation went strained when applicant had taken photos and videos when they were indulged in sexual act. Thereafter the applicant had given threat to the victim to pay Rs 1,00,000/- or else he will make those photos

and videos viral on social media. On this background if the antecedents of the applicant is seen, it seems that he is in habit of committing crime against minor girls. Though he is acquitted in the POCSO case but there is still one POCSO case pending against him and one criminal case of assault is also pending against him. This background supports the apprehension of the victim that if granted bail applicant will pressurize her. Given the fact that earlier applicant has assaulted the victim in front of her minor children and in marker place. Though there is delay in lodging FIR but at this stage it is immaterial and it is well explained by victim that due to love relationship and thereafter the threats given by applicant the delay is caused. The offence is of serious nature. It will not be appropriate to release the applicant on bail without recording the evidence of the victim. Hence following order.

ORDER

1. Criminal Bail Application No. 1199/2026 stands rejected.
2. The copy of this order shall be sent to the Jail through E-mail and the concerned Jailer is directed to supply the copy of this order to the applicant / accused.
3. Inform to the concerned Jailer accordingly.

Thane.
Dt :- 07.08.2026.

(M. S. Lone)
Additional Sessions Judge,
Court No.7, Thane.