

MHNS010023032026



**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 684 OF 2026**

(Raza Rafiq Meman + 4 vs. The State of Maharashtra through
Mumbai Naka Police Station, Nashik + 1)

(A)	CASE DETAILS :-	
i)	FIR number and Date	168 of 2026, dtd. 02.04.2026
ii)	Police Station, District and State	Mumbai Naka Police Station, Nashik, Dist. Nashik (Maharashtra)
iii)	Sections invoked	74, 75, 79, 299 and 302 read with 3(5) of the BNS, 2023.
iv)	Maximum punishment prescribed	Imprisonment for a term up to 3 years and a fine.
(B)	CUSTODY & PROCEDURAL COMPLIANCE :-	
i)	Date of Arrest	01] Dtd. 02.04.2026 (Accused Nos. 1 & 3) 02] Dtd. 08.04.2026 (Accused Nos. 2, 4 & 5)
ii)	Total period of custody undergone	01] 1 Month and 13 days (Accused Nos. 1 & 3) & 02] 1 Month and 07 days (Accused Nos. 2, 4 & 5)
(C)	STATUS OF TRIAL :-	
i)	Stage of proceeding (Investigation/	Investigation

	Charge-sheet/ Cognizance/ Framing of Charges/ Trial)	
ii)	Total No. of witnesses cited in the charge- sheet	N/A
iii)	Number of prosecution witnesses examined	N/A
(D)	CRIMINAL ANTECEDENTS :-	
i)	FIR No. & Police Station	<u>FIR against Accused Raza Rafiq Meman</u> 01] 156 of 2026 of Devlali Camp Police Station 02] 163 of 2026 of Mumbai Naka Police Station 03] 166 of 2026 of Mumbai Naka Police Station 04] 169 of 2026 of Mumbai Naka Police Station 05] 171 of 2026 of Mumbai Naka Police Station <u>FIR against Accused Asif Aftap Ansari</u> 01] 167 of 2026 of Mumbai Naka Police Station <u>FIR against Accused Shaharukh Husain Shaukat Kureshi</u> 01] 163 of 2026 of Mumbai Naka Police Station 02] 166 of 2026 of Mumbai Naka

		<p>Police Station 03] 171 of 2026 of Mumbai Naka Police Station</p> <p><u>FIR against Accused Shafi Bhikan Shaikh</u> 01] 164 of 2026 of Mumbai Naka Police Station 02] 167 of 2026 of Mumbai Naka Police Station 03] 169 of 2026 of Mumbai Naka Police Station</p> <p><u>FIR against Accused Tausif Bilal Attar</u> 01] 164 of 2026 of Mumbai Naka Police Station 02] 165 of 2026 of Mumbai Naka Police Station 03] 167 of 2026 of Mumbai Naka Police Station 03] 166 of 2026 of Mumbai Naka Police Station</p>
ii)	Sections	<p><u>Sections against Accused Raza Rafiq Meman</u> 49, 69, 74, 75, 78, 79, 299, 302, 356 read with 3(5) of the BNS</p> <p><u>Sections against Accused Asif Aftap Ansari</u> 74, 75, 79, 299, 302 of the BNS</p> <p><u>Sections against Accused Shaharukh Kureshi</u> 49, 74, 75, 78, 79, 299, 302, 365</p>

		read with 3(5) of the BNS <u>Sections against Accused Shafi Bhikan Shaikh</u> 49, 74, 75, 78, 79, 299, 302, 365 read with 3(5) of the BNS <u>Sections against Accused Tausif Bilal Attar</u> 49, 74, 75, 78, 79, 299, 302, 365 read with 3(5) of the BNS
iii)	Status (Pending/ Acquitted/ Convicted)	Pending
(E)	COERCIVE PROCESSES :-	
i)	Whether any non-bailable warrant was issued?	-
ii)	Whether declared a proclaimed offender?	-

The applicants/accused prayed for their release on bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in connection with C. R. No. 168 of 2026 registered with Mumbai Naka Police Station, Nashik, Dist. Nashik for the offences punishable under sections 74, 75, 79, 302 and 299 read with 3(5) of the BNS, 2023.

02] The prosecution case as revealed from the recitals of the FIR that the prosecutrix/victim lodged complaint with Police *inter alia* alleging that she was a trainee under Quality Head Shaharukh Kureshi and Jayesh Gunjal. During training, accused Raza Meman, though not having any concern with her working,

frequently used to visit the training room and by approaching her asked question about her personal life. He used to ask as to how she could manage without her husband, though, she was newly married. He also asked personal question in indecent manner as to whether she had gone for honeymoon, what they had done etc. Accused Shaharukh Kureshi was also present there and he prompted Raza Meman to ask such further questions. Accused Raza Meman further stated that if she could not manage the affairs with her husband then to leave him, whether she was having boyfriend and whether her in-laws were aware about her affair with them. Accused Raza sarcastically call her 'Player' and she felt ashamed by such comments. She has further alleged that co-accused Asif Ansari though working as an Associate in another Team, unnecessarily used to sit beside her and tried to develop intimacy by touching her body parts inappropriately and she felt embarrassed. Once while she was standing in the passage, Asif Ansari came there and hugged her tightly. She pushed him and went away therefrom. He used to ask about her undergarments and made indecent comments by asking, if she would get a chance, then with whom she would do it. The victim being newly recruit in the company and under fear to loosing job, she did not complain anybody. The accused used to staring her and passed lewd remarks. The accused Asif Ansari used to insist for having physical relation by saying that nobody would know it. He further indecently stated that if she was having any physical needs, then, he would satisfy her. Because of the sexual harassment, she felt frustrated and unsecured. He further

commented that as Hindu women are not wearing Burqa, therefore, rapes were committed upon them. Their goddess wandered nude and thereby wound her religions feelings.

03] In the Month of January, 2026, on the occasion of Sankranti festival, she wore sari to the office. At that time, accused Asif Ansari came there and uttered that her blouse is beautiful and if he would untie the lace, then it would fall down. Further in the Month of February, 2026 accused Raza Meman pulled her sari and gaze at her with ill-motive. Accused Tausif also commented that whether her husband was aware of the fact that she is too beautiful. Hence, the complaint.

04] The bail is prayed mainly on the ground that the applicants have falsely implicated owing to previous dispute with the victim and they have not committed the offence of outraging modesty or the sexual harassment or insulted her modesty and wound religious feelings as alleged. It is stated that there are no criminal antecedent except the FIRs registered against the applicants arising out of the same series of transaction. The offences are punishable with less than seven years. The investigation is practically over. The applicants have cooperated with investigation agency during investigation. They have fixed place of abode and have no flight risk. Hence, prayed for release on bail.

05] The respondent-state has resisted the petition by filing reply *inter alia* contending that the applicants by their acts have deliberately and with malicious intention committed sexual harassment of the victim at work place. They have outraged the

modesty of the victim and acted with intent to insult the modesty of victim and also wound her religious feeling. The investigation in the matter is in-progress. Considering the influence of the accused, they would tamper with the prosecution evidence and it will adversely affect the progress of the investigation. There are criminal antecedents against the accused. Accused Raza Meman has five crimes of similar nature registered against him. Accused Tausif Attar has seven crimes registered against him. Accused Shafi Shaikh has four crimes of similar nature registered against him. Accused Asif Ansari has two crimes of similar nature registered against him. Accused Shaharukh Kureshi has four crimes of similar nature against him. Hence, prayed for rejection of the application.

06] Having heard Learned Advocates for the respective parties, it can be seen from the recitals of the FIR that the applicants were working on the superior position in the organization and the victim was a trainee employee. All the accused persons were aware about the vulnerable position of the victim and targeted her. They used to pass lewd remarks on her physical appearance, tried to develop intimacy against her will by trying to touch her body parts, passed offending comments to wound her religious feeling. The victim sustained such atrocity being a new employee, apprehending losing her job in the event of lodging complaint.

07] The recitals of the FIR clearly attributed specific overt acts against respective accused persons. Accused Raza Meman made vulgar comments by asking her as to how she has

performed during her honeymoon, if she could not manage the affair with her husband then he will help her, whether her in-laws were aware about her affair with the boyfriend etc.

08] Similarly, accused Shaharukh Kureshi who was accompanied with accused Raza Meman, instigated and abetted him to ask such question. Similarly, accused Asif Ansari tried to develop physical intimacy to gain her sexual favour by touching her body parts inappropriately.

09] Accused pointed out what they described as shortcoming of Hindu Belief and Hindu religious by commenting that Lord Krishna was womanizer as he had married with hundreds of wives which caused deeply distressing effect on victim and the applicants have denigrated Hinduism by distorting certain mythology instances.

10] It is evident from the record that the applicants used to ask the victim embarrassing and intrusive questions about her personal life regarding her honeymoon location and her intimate life. They used to indecently encroached upon her personal space during the course of communication. They have touched her and hugged her inappropriately. The applicant used to stalk her and fallowed her to the cafe. He had also proposed for a live-in-relationship with her, in the event of her marital life proved unsatisfactory. On the occasion of Gudipadwa, when she wore a saree to the office, at that time, accused Asif Ansari made a vulgar remarks to the effect that he only needed to pull the thread of her blouse to fall open. The applicants have spoke with the victim in vulgar and derogatory manner about Hindu Gods and idols.

11] As submitted by the Ld. Advocate for applicant there is a delay in lodging the complaint and therefore it smacks of after thought-ness. It can be seen that the complaint of sexual harassment has to be routed through the accused persons who were the team leaders and the victim worked under them. She is coming from humble background and serving in the company to financially support her family and for economic independence. In the event of lodging complaint against her superiors, she would invite adverse consequences affecting her service, career and there is further apprehension that parents, spouse of the victim would rather ask her to quit the employment in view, of allegations of sexual harassment. Therefore, delay, if any, is prima-facie justified by the circumstances brought on record.

12] The Learned Advocate for the applicant vehemently submitted that there is glaring non-compliance of section 35(3)(4) (5) and (6) of BNSS in as much as arrest of the applicant was effected within short span from service of notice. It is responded by Ld. APP that as the applicant was not co-operating with the I.O. and considering the chances of flight risk, the I.O. has arrested applicant on short notice by mentioning reasons for such arrest.

13] The investigation in the matter is at the nascent stage. Considering the influential nature of the applicant and co-accused there is every likelihood of influencing witnesses and tampering with the prosecution evidence in the event of their release on bail. Hence, the application deserves to be rejected in terms of order below.

ORDER

Criminal Bail Application No. 684 of 2026 is rejected.

(Pronounced and dictated in open Court).

sd/-xxx

Place : Nashik
Date : 15.05.2026

(V. V. Kathare)
Additional Sessions Judge,
Nashik