

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.359 OF 2015

Ashwini Revnath Jagtap

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. M.K Kocharekar, for the Applicant.

Mrs. R.V. Nevton, APP, for Respondent – State.

Mr. A.A. Ahire, API- Sarkarwada police station, Nashik present.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 18, 2015**

PC.:

1. Application for anticipatory bail is moved as the offence is registered at C.R. No. 268 of 2014 with Sarkarwada police station, Nashik on 18-09-2014.
2. It is the case of the prosecution that the applicant/accused and her husband along with other two persons have promised the complainant to procure good job in Air India so that he would earn Rs. 70,000/- to 80,000/- p.m. However, for that purpose they demanded money and complainant believing them in the said representation went on depositing various amounts in the account of applicant/accused, her husband and her

two associates and thus he deposited amount of Rs. 67,000/- in different banks. It is his case that thereafter he paid cash amount of Rs. 2,10,000/- to the applicant/accused. However, he was not given a job. Thus, he filed F.I.R. that the applicant/accused and her associates had deceived him monetarily to the tune of Rs. 3,77,000/-. Hence, application for pre arrest bail.

3. The learned counsel for the applicant/accused submitted that the case of the complainant taken as it is, it appears to be a false case. The complainant was working with the applicant/accused and her husband as their Manager and there are number of cash transactions between the parties and the complainant in order to get money as alleged filed this false complaint against the applicant/accused.

4. The learned prosecutor opposes the bail application. He submits that the investigating officer has collected challan from various banks showing that the complainant has deposited on number of times in the account of applicant/accused and his three associates.

5. On perusal of the F.I.R. *prima facie*, it appears that there is something different than contents as stated in the F.I.R. If at all the amounts are

deposited in the banks, the complainant may recover that amount by taking civil proceeding. In view of this, I am inclined to grant pre arrest bail to the applicant/accused.

6. In the event of arrest, the applicant/accused be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 15,000/- (Fifteen Thousand) with one or two solvent sureties in the like amount subject to the conditions that the applicant/accused shall attend the Sarkarwada police station, Nashik on every Monday and Thursday in between 11.00 am to 1.00 pm till 07-05-2015.

7. Anticipatory Bail Application is disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)