

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1025 OF 2015

Mrs. Grishma Santosh Penkar .Applicant

v/s.

The State of Maharashtra .Respondent

Ms Latika Belindage, Advocate, for the Applicant
Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.09.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks pre-arrest bail in connection with C.R.No.
106 of 2015 registered with the Vartak Nagar
Police Station, Thane, for the alleged offences
punishable under Sections 380, 452, 143, 147,
149 & 506 of the Indian Penal Code, 1870.

3. The complainant is one Sapna Suresh Shetty. She has alleged that on 09.02.2015 she had visited her parents house at Thane. She has stated that at about 4.45 p.m. she kept two rings on the table and went to wash her hands. She has stated that at about 5.15 p.m. the present applicant came to drop her son for tuitions. She has alleged that the applicant was talking to her mother near the table, where the gold rings were kept and thereafter, the applicant left. According to the complainant, when she came out, she did not see her rings and hence started looking for the same. The complainant is alleged to have called the applicant and asked her about the rings which she flatly denied. It is alleged that on 13.02.2015 the present applicant came along with her brother, uncle and five unknown persons and questioned the complainant as to why they were leveling false allegations of theft on the

applicant. They allegedly asked the complainant to apologize to the applicant. The complainant has alleged that she was scared and at the behest of her husband, she apologized to the applicant. Pursuant to the aforesaid incident a complaint was lodged by the complainant on 14.02.2015.

4. Learned counsel for the applicant states that allegation of theft is based only on suspicion. She submitted that there was a delay of five days in lodging the FIR, and that even according to the complainant, the applicant was standing and talking with the complainant's mother and as such it was not possible for the applicant to commit the alleged offence.

5. Considering the nature of allegations and the material on record, the applicant is granted pre-arrest bail on the following terms

and conditions:

ORDER

(i) In the event of arrest, the applicant be enlarged on bail on his furnishing P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount;

(ii) The applicant shall not tamper or attempt to contact the complainant or any witness concerned with the said case.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

Parties to act on the authenticated
copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

Certified to be true and correct copy
of the original signed Judgment/order.