

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.370 OF 2016

Vidya Mapare & Ors.	..Applicant
V/s.	
The State of Maharashtra	.. Respondent

Mrs.Pandit Kasar for the applicant.
Mr.Y.M. Nakhwa APP for Respondent-State.

CORAM : A.M. BADAR, J.

DATE : 07th JUNE, 2016.

P.C.

1. Applicants/accused in Crime No.41 of 2016 for the offences punishable under sections 420, 406, 506(2), 504, 120B, 192 read with 34 of the Indian Penal Code registered with Police Station Deccan, Pune by this application praying for pre-arrest bail.

2. Heard learned counsel for the applicants. He argued that no role in any of the Criminal Act is attributable to the applicants who are relative of main accused Sanman Mapare. He further argued that in the past, informant had been to the Saloon of applicant no.2 and committed offences

punishable under section 509, 451, 427 read with section 34 of the Indian Penal Code.

3. The learned APP argued that FIR shows that some amounts was handed over to applicant no.2 and therefore she was aware about financial transaction between Sanman Mapare and informant Raviraj.

4. Perused the reply filed by the State. It is contended therein that present applicant as well as main accused Sanman are from one family and with common intention they have cheated the informant and used money for own purpose.

5. The prosecution case as reflected from the FIR filed by Raviraj is to the effect that main accused Sanman had cheated him and extracted amount of Rs.32,24,000/- from him on the pretext of asking for finance for getting tender work. The FIR further shows that Sanman had promised handsome return for financing the work of tender and allured informant Raviraj to part with substantial amount. Thereafter, accused

Sanman failed to return the amount. He also failed to execute the transfer deed of his house in favour of the informant.

6. Applicants are mother, wife as well as brother and main accused Sanman. No overt act is attributed to them. As such their custodial interrogation is not at all warranted and therefore the order.

ORDER

(i) The order granting interim anticipatory bail to applicants on 29th February 2016 is confirmed on same terms and conditions.

(ii) Applicants / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against them so as to dissuade him from disclosing such facts either to the Court or to any police officer and that they shall not tamper with the evidence;

(iii) Applicant/accused shall co-operate the Investigating Officer and attend Police Station as an

when reasonably called.

(iv) Applicant/accused shall not commit an offence similar to the offence of which he is accused.

(v) The application is disposed of accordingly.

(A.M. BADAR, J.)