

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 411 OF 2016

Ranjana Prahlad Waghmare ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Sachin B. Chandan, Advocate for the applicant.
Mr. S.H. Yadav, APP for the State.
Mr. Sunil Kishor Kadam, P.I. Wadala Police Station present.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **11th March, 2016.**

P.C.:

This Application is moved by the applicant for anticipatory bail, as the applicant/accused is facing charges under sections 420, 465, 468, 471 of the Indian Penal Code in C.R. No. 541 of 2015 registered with Wadala Police Station, Mumbai. The said offence is registered at the instance of one Usha Kuchikuttan on 15th October, 2015.

2. It is the case of the prosecution that the complainant was occupying room no. 704 from Mhada Colony and in December 2010 she went to Kerala to her native place and when she returned in January, 2011, she found that the family of the applicant/accused were occupying the said room. When she questioned them, Sharad, son of the applicant/accused threatened the family of the dire consequences. Thereafter her daughter approached Wadala Police Station and submitted application and then the

complainant lodged the FIR against Sharad Waghmare and applicant/accused.

3. The learned counsel for the applicant/accused submitted that the applicant/accused is on interim bail and she has attended the police station. She was interrogated by the police and she does not have any documents in her possession. The learned counsel submitted that the custody of applicant/accused is not required, hence she be granted pre-arrest bail.

4. Learned APP opposed the application and submitted that one forged document discloses signature of the applicant/accused and it was notarized, hence custody of the applicant/accused is required.

5. On perusal of the FIR and considering the submissions made by the learned counsel for both the parties and after going through the remand report which was submitted at the time of remand of main accused Sharad Waghmare, it appears that the police have collected the photocopies of the documents. The statement of notary is also recorded. Considering the nature of the offence, I am of the view that custodial interrogation of the applicant/accused is not required. Hence, pre-arrest bail is granted to the

applicant/accused on the following terms and conditions:

ORDER

- i) Application is allowed.
- ii) In the event of arrest, the applicant-accused shall be released on bail upon furnishing PR. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- iii) The applicant-accused shall not tamper with the evidence or pressurize the complainant or her family members;
- iv) The applicant-accused shall not indulge into any criminal activity;
- v) The applicant/accused shall attend the concerned police station as and when called by the investigating officer.
- vi) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

6. The Application is disposed of on above terms.

(MRIDULA BHATKAR, J.)