

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.723 OF 2016

Shilpa Bhagwant Shinde & Anr.	..Applicants
V/s.	
The State of Maharashtra & Anr.	.. Respondent

Ms.Pranali Kakade i/by Mr.Subhash Hulyalkar for the applicant.
Mr.Arfa Sait APP for Respondent-State.
Ms.R.T. Savant (WPSI), Pimpri Police Station.

CORAM : A.M. BADAR, J.

DATE : 07th JUNE, 2016.

P.C.

1. Applicants/accused in Crime No.207 of 2016 for offence punishable under section 384 read with section 34 of the Indian Penal Code registered with Pimpri Police Station, District-Pune by this application are praying for pre-arrest bail.

2. Heard learned counsel appearing for applicants. She argued that applicants are roped in the alleged offence falsely. She further argued that the offence alleged against them is punishable with imprisonment for three years and both applicants are women. According to the learned counsel for applicants, though non-applicant is alleging that applicant no.1 has criminal antecedent she

has already been acquitted by the Session Court in Sessions Case No.3 of 2007. Therefore, liberty of applicants needs to be protected. The learned counsel further argued that there is inordinate delay in lodging the FIR which prime-facie reflects false implication. According to the learned counsel for applicants, prior to lodging the FIR in question, on 2nd April 2016 itself, applicant no.1 has lodged report of the incident to Koregoan Park Police Station, Pune. The learned counsel for applicants further submitted that both the applicants are ready and willing to pay amount of Rs.30,000/- allegedly extorted by them from the informant.

3. As against this according to learned APP, applicant no.1 has chequered criminal history and in all three crimes were registered against her in past. The learned APP further argued that statement of witnesses are corroborating the version of the informant. On the point of delay, the learned APP pointed out that the informant has already reported the matter immediately after the incident to the Commissioner of Police and from there the complaint was forwarded to the Pimpri Police Station, Pune.

4. Perusal of papers of investigation shows that on the pretext of purchasing land, both applicants had taken informant to a

secluded place near Wagholi and then they extended threat of lodging complaint of out raging their modesty against him. In this way by putting the informant in fear of damage to his reputation, they had extracted an amount of Rs.30,000/- from the informant. Statement of witnesses shows that at the instance of brother of the informant, they have arranged an amount of Rs.30,000/- and the same was paid in their presence to both applicants. Though applicant no.1 is acquitted in one Sessions triable case, it is seen that she has three offences of similar nature to her credit. Considering the nature of offence and the manner in which it was committed for extracting money from a rickshaw driver, I do not consider this case to be a fit for granting anticipatory bail. Possibility of repetition of similar offences by applicant in future cannot be ruled out. Hence the order.

ORDER

(i) Application is rejected.

(A.M. BADAR, J.)