IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1353 OF 2016

Reshma Akhtar Sayyad .....Applicant

V/s.

The State of Maharashtra ....Respondent

Mr. Kushal Mor Advocate for Applicant.
Mr. Prashant Jadhav APP for the State.
Mr. Rajan Jagtap, PI Panvel Police Station.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : SEPTEMBER 14, 2016.

PC :

1) Heard. This is an application under section 439 of the Code of Criminal Procedure, 1973. Applicant herein is charge-sheeted for offence punishable under sections 489 (B) & (C) r/w 34 of the Indian Penal Code in crime no. 34 of 2016 registered at Khargar police station on 08/02/2016. Investigation is completed and charge-sheet is filed on 06/04/2016.

2) It is the case of the prosecution that on 08/02/2016, Suryabhan Jadhav who is working in Anti Exortion Cell, Crime Branch, Navi Mumbai lodged a report at the police station, alleging therein that on 08/02/2016, at about 7.30

a.m., he received a secret information that a lady clad in Burkha is circulating counterfeit notes. Pursuant to the said information, he laid a trap near the place of which he was informed. They had apprehended a lady who was clad in a Burkha. She was in possession of counterfeit notes. Upon enquiry, she disclosed her name as Usha Anil Rathod @ Ayesha Sayyed. She was in possession of 592 notes of Rs. 500/- denomination, 3 notes of Rs. 100/- denomination, 4 notes of Rs. 10/- denomination. It was revealed that they were counterfeit notes. She was taken into custody and investigation was set in motion.

3) In the course of investigation, Investigating Officer had recorded the statement of Nayab Abdul Ajij Sayyad who happens to be son of Nabila Sayyad who is a co-accused. The statement was recorded on 22/05/2016. He disclosed that present applicant and Usha Rathod happened to be very good friends of his mother. That the applicant was residing with his family along with her husband and sons. He further disclosed that in February 2015, he had given his sim card to Usha Rathod @ Ayesha Sayyad. He further disclosed that in December 2015, his mother along with present applicant and other co-accused had been to Delhi for purchasing readymade garments and they had

not returned. His mother was postponing returning home. Similarly, the statement of the daughter of the present applicant namely Arshiya Sayyad is recorded. She has specifically disclosed that on 31/12/2015, her mother i.e. present applicant had been to Delhi along with her friends Nabila Sayyad and Usha Rathod for purchasing garments. She has also disclosed that her mother had kept several counterfeit notes in the house and in her absence, she used to give the same to the persons who demanded it on request. She had subsequently learnt from her father that the said notes were counterfeit notes. She has also stated that she has no knowledge about the same and therefore, as per the instructions of her mother she was giving the same to the people who demanded it.

4) The learned APP, upon instructions submits that from 23/01/20016 to 02/02/2016, present applicant was in Nijamuddin Delhi and from 01/01/2016 to 22/01/2016 they were at Malda from where they were running the racket of circulating counterfeit notes.

5) The compilation of the charge-sheet clearly indicates that this was a racket run by the present applicant. There is sufficient incriminating material against present applicant which shows her involvement in the said offence.

6) Hence, applicant does not deserve to be enlarged on bail. It is made clear that observations made herein above are prima facie in nature and shall not be considered at the time of trial. Application stands rejected.

(SMT. SADHANA S. JADHAV, J.)