

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 498 OF 2017**

1.	Yasmin Abdulbari Qureshi,	
2.	Abdulbari Abdulbasit Qureshi	...Applicants
	Versus	
	State of Maharashtra	...Respondent

Mr. Vikas Balasaheb Shivarkar for the Applicants

Ms. S. S. Kaushik, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 7th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 129 of 2017 registered with the Wanwadi Police Station, Pune, for the alleged offences punishable under Sections 406, 465, 467, 468, 471, 420 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants states that pursuant to the interim order dated 22nd March, 2017 passed by this Court, the applicants have deposited the entire amount of Rs. 4,80,000/-. He has tendered a copy of the said receipts. The same are taken on record and marked 'X' for identification.

4. Learned A.P.P does not dispute the fact that the applicants have deposited the said amount in the trial Court.

5. Perused the papers. According to the prosecution, the applicant No. 1 represented to the ladies living in Hadapsar area that if a certain amount was given to her, she would get the loan or ration card or caste certificate. The complainant therefore collected a sum of Rs. 4,80,000/- from about 360 ladies some time in September, 2006 and handed it over to the applicants. However, the applicants did not do the work of these ladies and gave evasive answers. It appears that the applicants agreed to repay the said amount and gave a cheque of Rs. 2,70,000/- towards security. Pursuant thereto, the complainant lodged the aforesaid complaint alleging

that the applicants have cheated the women in Hadapsar area for a total amount of Rs. 4,80,000/-.

6. Pursuant to the interim order dated 22nd March, 2017, the applicants have deposited a sum of Rs. 4,80,000/- in the Registry of the Cantonment Court, Pune. In view of the aforesaid, custodial interrogation of the applicants is not required. The applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.35,000/- each, with one or two solvent sureties in the like amount ;
- (ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called for;
- (iii) The applicants shall not tamper with the evidence, attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(iv) The applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The Registry of the Cantonment Court, Pune, is directed to invest the amount so deposited in a fixed deposit in a Nationalised Bank, initially for a period of one year, to be renewed thereafter as per the directions of the trial Court. Appropriate orders may be passed by the learned trial Judge on the said amount, after the trial is over, in accordance with law.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.