

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

ANTICIPATORY BAIL APPLICATION NO. 1674 OF 2017

Mrs. Maya Keru Ovhal

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Adwait Bhende for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 25th SEPTEMBER, 2017

P.C.:

. This is an application for pre-arrest bail under Section 438 of Cr.P.C. in C.R. No. 286/2017 dated 08.07.2017 registered with Bhosari Police Station, District Pune under Sections 395,342, 323 and 506 of the Indian Penal Code.

2 The First Information Report is lodged by Shri. Niyamat Ali Kadri. It is the prosecution case that one Ms. Pranali Pawar, a lady of easy virtue, gave a call to the said informant on 05.07.2007 and called him at Vanraj Lodge, Alandi Road, Pune, took Rs.1,500/- from him and permitted him to have sexual intercourse with her. After the Applicant came out of the said lodge along with the said lady i.e. Ms.Pranali Pawar, five persons i.e. four ladies and one male accosted them and forcibly put them in an Indica Car and demanded Rs.5 lacs from the informant. They threatened informant that if he failed to pay the same ransom,

he will be defamed in the society and a complaint of rape will be lodged against him. When the informant told them that he is unable to pay such an amount and he is ready to face any consequence including complaint of rape before the police, the said five persons robbed him of Rs.6,000/- and took him to Bhosari Police Station. The police after conducting preliminary inquiry came to the conclusion that the said plot was hatched by the said five persons and by admonishing them, released the informant. That on 07.07.2017, again at about 12 p.m. the informant had been to the said lodge with Ms. Pranali Pawar and after having intercourse with her permission, paid her Rs.1,500/- and when he was leaving the said lodge, four accused persons including the Applicant accosted him and again demanded a ransom of Rs.5 lacs. The accused persons threatened him that they will lodge complaint in police for rape and that they again robbed Rs. 6,000/- and assaulted him and thereafter, dropped him on the road. In the premise, the First Information Report is lodged.

3 Learned Counsel for the Applicant submitted that there is inconsistency in the First Information Report and Remand Report submitted by the police while seeking custody of other three accused persons. He submitted that the Applicant is member of Women Organization, who are involved in preventing prostitution and other relevant offences and are helping the police in tackling the said offences. He submitted that other three accused persons have been arrested and the amount involved in the present crime is already recovered at their instance.

That the Applicant being lady, her custodial interrogation may be avoided and she may be granted pre-arrest bail.

4 Perused the record. Prima facie it appears that, the Applicant was a member of the said gang, who after noting that the first informant was in a lodge with a lady of promiscuous character, followed him and extorted amount on two occasions. If the submission of the learned Counsel for the Applicant is accepted in proper prospective, then it further appears that the Applicant being a member of the Women Organization is indulging into the racket of extortion under the guise of helping the police in tackling of such sort of offences. According to me, this is a serious offence which needs through investigation and same is not possible without there being custodial interrogation of the Applicant. I find no merits in this application.

5 Application is accordingly rejected.

(A.S.GADKARI, J.)