

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1859 OF 2017***

Pallavi Rajesh Ghorpade

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.A.P.Mundargi, Senior Counsel a/w Ms. Hetal Patel a/w Mr. Nitin Patil
i/b. Mr. Subhash Hulyalkar, for the applicant.

Mr.Vinod Chate,APP, for the State.

CORAM : SMT. SADHANA S.JADHAV, J.

DATE : 14th December, 2017.

P.C. :

1. Heard. This is an application under Section 438 of Cr.P.C. The applicant is apprehending her arrest in Crime No. 366 of 2017 registered at Vimantal Police Station, Pune for the offences punishable under Sections 406, 420, 495, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. It is the case of the prosecution that the applicant had married to the complainant on 22.4.2016 and on 23.9.2017 her husband lodged a report at the police station alleging therein that she along with others has cheated him and committed criminal breach of trust by suppressing her first

two marriages. According to the complainant, the applicant herein had grabbed huge amount from the complainant. It appears that the applicant has also initiated proceedings against the complainant under the provisions of Protection of Women from Domestic Violence Act, 2005. It is alleged that the applicant has grabbed the total amount of Rs.41 lakhs from the complainant. He was working at Abu Dhabi at the time of marriage. It prima facie appears that it is a matrimonial dispute wherein, according to the complainant, the applicant had suppressed certain material facts from him, more particularly about her previous marriage. In the given facts of the case, this Court is of the opinion that custodial interrogation is unwarranted. Hence, the applicant deserves pre-arrest bail.

3. The observations hereinabove are prima facie in nature and shall not be influenced by the Sessions Court while considering the application for quashing or discharge application

ORDER

- (i) The application is allowed.
- (ii) In the event of her arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in

the like amount.

(iii) The applicant shall co-operate with the investigating agency and report to the Investigating officer as and when called.

The application is allowed in the above terms and stands disposed of.

(SMT. SADHANA S.JADHAV, J.)