

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.357 OF 2017

Smt. Prajakta Nikhil Ghate

..VS..

State of Maharashtra, through Police Station Officer Nandanwan, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri J.D. Bastian, Advocate for the Applicant.
Shri N.R. Patil, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATED : 18.7.2017.

Heard.

Apprehending arrest in connection with Crime No.542/2016 registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code, the applicant seeks pre-arrest bail.

The crime is registered on the complaint lodged by Chaitali Vijay Choudhari that the complainant has cheated her and has taken huge amount from her on the pretext of enrolling the complainant to MONAD University in Delhi and when the complainant demanded migration certificate, the applicant has given her forged documents.

According to the applicant, the complainant was enrolled for B.C.A. course in 2011 and at that time the applicant was not concerned with the affairs of the institution and husband of applicant was looking after the affairs of the institution, that husband of applicant died in 2012 and only thereafter the applicant has started looking after the affairs of the institution.

The application is opposed on the ground that

there is ample material available with the investigating agency to show that the applicant has cheated the complainant, has taken money from the complainant and has given forged documents. It is submitted that during investigation, it is found that the complainant is not enrolled with MONAD University, New-Delhi.

Be that as it may, the non-applicant has not been able to point out that custody of applicant is required for further investigation. The applicant is granted interim protection by order passed by this Court on 26th May, 2017. The investigating agency has not complained that the applicant has not co-operated with it. The applicant, woman, aged about 42 years, claims that she has to look after her son and daughter aged about 10 years. The applicant has stated that she is not involved in any other crime / offence.

Considering the facts of the case, the order passed by this Court on 26th May, 2017 granting protection to the applicant is confirmed. The application is **allowed** accordingly.

JUDGE