

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

ANTICIPATORY BAIL APPLICATION NO. 1435 of 2018

Nita Nandkumar Dombé

...Applicant.

Vs.

The State of Maharashtra

...Respondent

Ms. Gunjan Thakkar i/by Adv. Ganesh Iyer for the Applicant.

Mrs. Rutja Ambekar, APP. for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 30th November, 2018

PC :

1. This is an application under Section 438 of the Code of Criminal procedure for pre-arrest bail in CR No. 142/2018 dated 9.4.2018 registered with Waduj Police Station, District Satara under Section 420, 504, 506 read with 34 of the Indian Penal Code and under Sections 27 of the Arms Act.

2. Heard the learned counsel for the applicant and the learned APP.
Perused the record.

The first information report is lodged by Mr. Akash S. Mane aged about 42 years. It is the prosecution case that, the applicant alongwith her

husband promised various needy youths from Taluka Khatav, District Satara to give employment in Indian Army and accepted Rs.2,00,000/- each from them. It is the allegation that, the applicant along co-accused have accepted Rs.9,00,000/- from the needy persons and failed to give job in Indian Army. The applicant and co-accused even did not return the said amount accepted by them.

3. The learned counsel for the applicant submitted that, it is the co-accused- her husband Shri. Rajkumar Katkar who had promised to the needy persons to provide job in the Indian Army. That, co-accused was arrested by the police and now has been released on regular bail. She further submitted that, the police have already completed investigation and submitted charge sheet. That, nothing is to be recovered from the applicant and therefore, the custodial interrogation of the applicant is not necessary and she may be protected by pre-arrest bail.

4. A bare perusal of the first information report indicates that, it is the applicant alongwith accused No.1 Rajkumar Katkar jointly induced the needy youths from Khatav Taluka to give job /service in Indian Army and therefore the concerned victims have parted about Rs.9,00,000/-. It is to be noted here that, the charge sheet qua the accused who was arrested by the

police has been filed. As far as role played by the applicant in the present crime and the investigation related thereto is yet to be completed. The allegation against the applicant that, she along with co-accused promised to give jobs to the needy youths in Indian Army, without having any lawful authority itself is a serious offence which requires to be thoroughly investigated by the police

5. In view of the above and after taking into consideration the gravity of the offence and the serious allegations against the applicant, this Court is of the considered view that, the applicant does not deserves to be protected by pre-arrest bail.

Application is accordingly rejected.

(A.S.GADKARI, J.)