

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

ANTICIPATORY BAIL APPLICATION NO. 2554 OF 2018

Shobha Ramesh Gamladu	... Applicant
Vs.	
The State of Maharashtra	... Respondent

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Mr. Satyam Pille for the applicant.
Mr. R.M. Pethe, APP for the Respondent-State.
Santosh S. Mahsdke, PSI, Ulhasnagar Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 12th DECEMBER, 2018.**

P.C.

1. This is an application for anticipatory bail in connection with CR No. I-118 of 2018 registered with Ulhas Nagar Police Station for the offence punishable under Section.

2 The case of the prosecution is that the complainant was put in peaceful possession of the premises by one Rashmi Panjwani who is the owner of the property. On 14th May, 2018, the applicant and her associates also women, had entered into the premises and committed criminal trespass. At that time Smt. Rashmi Panjwani allegedly owner of premises had also visited the premises at the same time she was abused, her clothes were torned and mobile phone was snatched. Hence the FIR was registered on

15th May, 2018. The First Information Report apparently relates to dispute in respect to the property. Learned counsel for the applicant pointed the electricity bill in respect to the said premises for the month of July, 2018 which stand in the name of applicant. Tax receipt issued by the Ulhas Nagar Municipal Corporation in relation to the same property also stands in the name of applicant. Said receipt is dated 4th May, 2018. It is therefore submitted that applicant has been falsely implicated in this case. The complainant was not concerned with the property. There is dispute between the applicant and Smt. Ramshi Panjwani

3. Learned APP submits that specific overt act has been attributed by the applicant. Ownership of the applicant is doubtful. There are criminal antecedents against the applicant. It is therefore prayed that application be rejected.

4. On perusal of the document on record, it appears that primarily the dispute relates to possession of property. Applicant has been charged with the offence of criminal tress pass and robbery. It is alleged that the mobile phone of one of the witness is being snatched by one of person who was accompanying the applicant. The role of taking away of the cell phone of Smt. Rashmi Panjwani has not been attributed to the applicant. Without

giving any findings qua the ownership of the property, I do not find that the applicant should be subjected to police custody. In the circumstances on certain condition, this application can be allowed.

ORDER

- i) In the event of arrest of applicant in connection with C.R. No.118 of 2018 registered with Ulhasnagar Police Station, the applicant be released on bail on furnishing P.R. Bond of Rs.20,000/- with one or more sureties in the like amount.
- ii) The applicant shall attend Investigating Officer of concerned Police Station on 17th, 18th and 19th December, 2018 and thereafter as and when called for till filing of the chargesheet;
- iii) Anticipatory Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)