

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

BAIL APPLICATION (ABA) NO. 313/2018

Madhuri W/o Dinesh Gubare

..VS..

State of Maharashtra, Through PSO, Frezarpura, Amravati, Tq. & Dist. Amravati

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

Court's or Judge's orders

Ms. A. Sarkar, Advocate for the applicant
Shri N.B. Jawade, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.

DATED : 25/05/2018

Heard.

Apprehending arrest in connection with Crime No. 360/2018 registered by the non-applicant against the applicant and her husband for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code, the applicant seeks pre-arrest bail. The accusations against the applicant are that she duped the complainant and received huge amount of about Rs. 2,31,000/- assuring the complainant of admission in B.A.M.S. Course. According to the Investigating Agency, the complainant has deposited the amount in the account of the applicant and the entries of the bank account substantiate the accusations made by the complainant against the applicant.

The applicant seeks pre-arrest bail on the ground that she is a woman having no past criminal antecedents and that the complaint made against her is false.

The application is opposed on the ground that the investigation is under progress and though the applicant is attending the police station in compliance with the interim order passed by this Court on 15/05/2018 granting interim protection to the applicant, she is not co-operating with the Investigating Agency. The learned APP has submitted that the co-accused (husband of the applicant) is absconding.

Considering the fact that there is documentary evidence which prima facie show that the complainant has deposited substantial amount in the account of the applicant and there is no explanation why the amount was deposited by the complainant in the account of the applicant, and accepting the submission made on behalf of the Investigating Agency that the investigation is under progress and custodial interrogation of the applicant is necessary, I am not inclined to grant the prayer made in the application.

The application is dismissed.

JUDGE

Ansari