

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

ANTICIPATORY BAIL APPLICATION NO. 184 OF 2019

Mrs. Maria Darrly D'Souza	... Applicant
Vs.	
The State of Maharashtra	... Respondent

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Mr. Sushil Kumar Upadhyay for the applicant.
Ms. A.A. Takalkar, APP for the Respondent-State.
Mr. Manjare, PSI, D.N.Nagar Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 22nd JANUARY, 2019.**

P.C.

1. This is an application for anticipatory bail in connection with CR No. 497 of 2018 registered with D.N.Nagar Police Station for the offence punishable under Sections 420, 406 read with 34 of Indian Penal Code.
2. Case of the prosecution is that applicant and co-accused had made promises to the complainant and others that job opportunity would be provided to them. The complainant's sister was in need of job and applicant represented that job opportunity will be provided at Canada and an amount of Rs.1,50,000/- was paid by the complainant's sister to her. First Information Report also refers

to name of eleven other persons from whom the amount was collected by the accused. Promises were made and the amount was accepted in the sum of Rs.24,75,000/-. However, promises were not fulfilled.

3. Learned counsel for the applicant submitted that applicant is a lady. She is not beneficiary of the amount. She was employee of the said concern and she has not played any role. It is submitted that representations were made by the co-accused and substantial amount was collected by other accused and not by the applicant. It is submitted that applicant's custodial interrogation is not necessary. She is willing to co-operate with the investigation.

4. Learned APP submitted that there is involvement of the applicant in the crime. Accused had induced the victim to part with the amount by making false promises of providing job. Statement of the witnesses indicate that the applicant was present in the office. It is further submitted that two victims had also handed over the amount to the applicant. Advertisement published by the accused mentioned mobile number of the applicant. It is further submitted that premises which is used for business purpose was hired on leave and license basis. Applicant had approached the licensor for collecting the amount towards

deposits which also shows the complicity of the applicant.

5. I have gone through the investigation papers. The involvement of the applicant is revealed. The presence of the applicant and amount parted to her is also established. She has participated false representations. So far eleven victims have come making grievance.

6. Taking into consideration the totality of the circumstances, no case for grant of anticipatory bail is made out. Application is rejected and stands disposed off.

(PRAKASH D. NAIK, J.)