

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

ANTICIPATORY BAIL APPLICATION NO. 198 OF 2019

Mrs. Sadhana Rajaram Nagam

... Applicant

Vs.

State of Maharashtra

... Respondent

...

Mr. P.B. Naiknaware for the applicant.

Ms. A.A. Takalkar, APP for the Respondent-State.

Mr. S.S. Tadui, PSI, Kolsewadi Police Station is present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th JANUARY, 2019.

P.C.

1. This is an application for anticipatory bail in CR No. I-496 of 2018 registered with Kolsewadi Police Station for the offence punishable under Section 354-b, 406, 420, 504, 506, 323 read with 34 of Indian Penal Code.

2. The case of the prosecution is that informant had alleged that the applicant alongwith her two brothers are the neighbours of the informant. In 2016, the applicant had made false representation to the informant that her uncle is employed in Mantralaya and she would get employment to the informant's daughter in Mantralaya through Uncle. For that purpose she took

cash of Rs.50,000/-. On 9th January, 2019 informant gave Rs.1,00,000/- to the accused/applicant. However, daughter of the informant was not provided any employment in Mantralaya. The accused thereafter took gold articles from the complainant by stating that auction of gold in Mannipuram Gold Finance in June, 2017. Ornaments were not returned. Informant and her husband insisted for returning of ornaments. Complainant also learnt that several other persons are also deceived by the applicant. On 9th January, 2018 informant went to the house of the applicant for demanding her money. At that time applicant and her brother abused and assaulted her.

3. Learned counsel for the applicant submits that there is delay in lodging the FIR. There is no proof of handing over amount and the ornaments. Other accused were arrested and granted bail. Custodial interrogation of the applicant is not necessary. He relied upon the decision in the case of *Thulia Kali Vs. The State of Tamil Nadu* ¹.

4. Learned APP submits that specific role has been attributed to the applicant. There are 10 other victims whose statements are recorded who were deceived by the applicant.

¹ 1972 3 SCC 393.

5. I have perused the First Information Report. Specific overt act has been attributed to the applicant. Learned APP submitted that there are two criminal antecedents against the applicant. Considering the fact that the complainant as well as other aggrieved persons are deceived by the applicant and the circumstances herein above, no case for grant of anticipatory bail is made out. Hence, application is rejected.

(PRAKASH D. NAIK, J.)