

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 319 OF 2019**

Sabina Ibrahim Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Abdul Hafeez I/b Mr. Abdul Wahab Khan for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 5th JULY 2019

P.C.

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 130 of 2018 registered with the R.C.F. Police Station, for the alleged offences punishable under Sections 420, 465, 468, 471, 34 of the Indian Penal Code.

3 Perused the papers. According to the complainant-Shobha Halidar, the applicant and her husband induced her to part with a sum of

Rs. 5,50,000/- with an assurance that premises would be provided to the complainant and her daughter. According to the complainant, the applicant was present along with her husband, when false representations were made to her. The complainant has also alleged that the applicant herself showed certain documents in respect of another allotment, with the intent of gaining her confidence. Admittedly, the property/flat in MHADA could not have been allotted by the applicant or her husband, inasmuch as, they had nothing to do with the said MHADA flat. The material on record clearly shows that the applicant and her husband induced the complainant to part with Rs. 5,50,000/-, after promising to give her a flat in MHADA.

4 Leanred A.P.P states that investigation is in progress as to whether apart from the complainant, other persons have been cheated by the applicant.

5 Considering the role of the applicant, this is not a fit case to grant pre-arrest bail to the applicant. The application is rejected.

6 It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application. If an application for regular bail is filed, the trial Court shall decide the same on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.