

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 832 OF 2019

TINA YASHPAL SINGH
SANKHALA

.....APPLICANT

Vs.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Aashutosh Srivastava for the Applicant.
Mr. Amit Palkar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.
DATE : 4th APRIL, 2019.

P.C.:-

The Applicant is apprehending arrest in CR No. I-145 of 2018 dated 20th March, 2018 registered with Kolshewadi Police Station, Kalyan, District Thane under Sections 420 and 406, 212 read with Section 34 of the Indian Penal Code.

2 Heard the learned counsel for the Applicant and the learned APP. Perused the record of investigation.

3 The prosecution case in brief is that, the Applicant is wife of Shri. Yashpal Singh Sakhala. The said Shri. Yashpal Singh Sakhala is a proprietor of M/s. Ambika Jewellers. That, the said Shri. Yashpal Singh Sakhala accepted certain amounts as business loan from the

people from vicinity, so also had pledged certain gold ornaments by giving hand loan to the needy people. That, subsequently, Shri. Yashpal Singh Sakhala neither returned the said loan amount nor returned the said gold ornaments pledged by him, despite the pledgees were intending to get released the said ornaments from him.

4 The record indicates that, the principle accused Shri. Yashpal Singh Sakhala has been arrested by police. The record indicates that Shri. Yashpal Singh Sakhala is the proprietor of the said shop and even the license under the Shops and Establishments Act stands in his name. It *prima facie* appears that, the Applicant being the wife of the said principal accused who used to attend the shop and was extending her help to her husband in his day to day business has been impleaded in the present crime. It further *prima facie* appears that, the Applicant has no direct role to play in the present crime.

5 In view of the above, the custodial interrogation of the Applicant for further investigation of the present crime is not necessary and she can be protected by pre arrest bail.

Hence, the following order-

- a) In the event of arrest in CR No. I-145 of 2018 dated 20th March, 2018 registered with Kolsheewadi Police

Station, Kalyan, District Thane, the Applicant shall be released on bail on her furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

- b) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.
- c) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)