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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.ANTICIPATORY BAIL APPLICATION NO.1174 OF 2019

Miss Pinki Maurya	...Applicant
vs.	
The State (Through Powai Police Station, Mumbai)	...Respondent

Mr.Ashish Dubey for the applicant
Mr.A.R.Kapadnis for the State
Ms Rina Lohar, PSI Powai Police Station

CORAM : REVATI MOHITE DERE, J.
DATE : JUNE 3, 2019

P.C.:

1 Heard the learned counsel for the parties.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R.No.109 of 2018 registered with Powai Police Station for the alleged offences punishable under sections 420 read with section 34 of the Indian Penal Code and under sections 66(D) and (F) of the Information Technology Act,2000.

3 Learned counsel for the applicant submits that the applicant has been falsely implicated in the said case. He submits that the transaction was between the complainant and the original accused No.1. He further submits that an amount of Rs.3,00,000/- was deposited by the complainant in

accused-Vikas Singh's account and that Vikas Singh had transferred an amount of Rs.50,000/- in the applicant's account. He further submits that out of Rs.50,000/- the applicant has repaid an amount of Rs.25,000/- to the complainant.

4 Learned APP does not dispute the fact, that accused-Vikas Singh had transferred an amount of Rs.50,000/- in the applicant's account and that out of the said amount, the applicant had repaid Rs.25,000/- to the complainant.

5 Perused the papers. The complainant was working with Tata Consultancy Service Company as a developer where the accused-Vikas Singh was working. It appears that the accused-Vikas Singh disclosed to the complainant that he is doing e-commerce business and as such induced the complainant to invest money in his business. It appears that Vikas Singh applied for a loan from HDFC Bank for a sum of Rs.3,00,000/- on behalf of the complainant, as the complainant had no money to invest. Vikas Singh also got the loan sanctioned and transferred some money in his account and some in the applicant's account. When the complainant asked Vikas Singh about the money, Vikas Singh gave evasive answers and went for training for Malaysia. It is further alleged by the complainant that Vikas Singh used his credit card and booked a room in a hotel at Malaysia for Rs.27,400/-. Pursuant to the aforesaid, the complainant lodged a complaint with the Powai Police

Station which was registered vide C.R.No.109 of 2018.

6 As far as the Applicant is concerned, it is not in dispute that out of Rs.50,000/- given by Vikas Singh to her, the applicant has repaid the complainant a sum of Rs.25,000/-. It is also not in dispute that Vikas Singh has been granted regular bail. Considering the facts of the case, custodial interrogation of the Applicant is not necessary. Accordingly, the Application is allowed and the applicant is granted pre-arrest bail, on the following terms and conditions :-

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.25,000/- (Rupees twenty five thousand, with one or two sureties in the like amount ;
- ii) The Applicant shall report to the Powai Police Station, Mumbai, on every Monday between 11.00 to 2.00 p.m, till the filing of the charge-sheet and thereafter as and when called for by the Investigating Officer ;

iii) The applicant shall inform her latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Powai Police Station, Mumbai;

iv) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case;

v) The Applicant shall co-operate in the conduct of the trial.

7 The Application is allowed and disposed of in above terms.

8 It is made clear, that the observations made herein, are prima-facie, for the purpose of deciding this application.

9 Parties to act upon the authenticated copy of this order.

(REVATI MOHITE DERE,J.)