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

ANTICIPATORY BAIL APPLICATION NO.1713 OF 2019

Asha Bhaskar Palave@ Asha Sunil Aavhad	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.V.V.Purwant, for the Applicant.

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

CORAM : REVATI MOHITE DERE, J.

DATE : 29th AUGUST, 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.I-2046 of 2019, registered with the Kalyan Lohamarg (Railway) Police Station, for the alleged offences punishable under Sections 170, 465, 467, 468, 471 and 420 of the Indian Penal Code.
3. Learned Counsel for the applicant states that although the incident is alleged to have taken place on 18th December, 2018, the complaint/FIR was registered after almost six months by the Police Naik of

Kalyan Railway Police Station. He submitted that the applicant is alleged to have disclosed that she was a T.C and collected fine from the passengers in the train on the basis of a bogus identity card. Learned Counsel for the applicant states that the applicant has committed the alleged act at the behest of her husband, against whom she has now filed proceedings under the D.V. Act. He submitted that in the facts, the custodial interrogation of the applicant is not required.

4. Learned APP states that the applicant has reported to the Investigating Officer of the concerned Police Station, as directed by this Court vide order dated 2nd August, 2019.

5. Perused the papers. According to the prosecution, the incident took place on 18th December, 2018. Admittedly, the FIR was registered after almost six months by the Police Naik of Kalyan Railway Police Station. The allegation as against the applicant is that she disclosed that she was a T.C and collected fine from the passengers in the train on the basis of a bogus identity card.

6. The applicant has reported to the concerned Investigating Officer, as directed by this Court vide order dated 2nd August, 2019. In the

facts, the custodial interrogation of the applicant is not warranted. The application is accordingly allowed and the interim protection granted vide order dated 2nd August, 2019, is confirmed on the following terms and conditions :-

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station, as and when called;
- (iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall co-operate with the Investigating Agency.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear, that the observations made herein are *prima facie* and are confined to this application.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.