IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1789 OF 2019

Shanta Gopal Singh ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Niranjan S. Mundargi I/b Mr. Raviraj Rajaram Paramane for the Applicant

Mr. A. A. Palkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 22nd AUGUST 2019

P.C.

1 Heard learned counsel for the applicant.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 160 of 2019 registered with the Bazarpeth Police Station, Kalyan, District-Thane, for the alleged offence punishable under Section 420 r/w 34 of the Indian Penal Code.

3 Perused the papers. According to the complainant, she, along with two of her friends visited the office of the co-accused-Shamim Bano

and handed over a sum of Rs. 7,50,000/- to the said Shamim Bano, as she had assured them to get the money doubled on the spot. It is alleged that at around 8:30 p.m, Shamim Bano took the cash and left the office, asking the complainant to wait for some time. As Shamim Bano did not return, the complainant called her repeatedly. At about 11:00 p.m, Shamim Bano returned and told the complainant that the bag containing cash was snatched by some unknown persons. Disbelieving the story narrated by Shamim Bano, the complainant lodged the aforesaid complaint.

4 In the connected application filed by co-accused-Shamim Bano being Anticipatory Bail Application No. 1738 of 2019, co-accused Shamim Bano has filed an affidavit-cum-undertaking stating therein that she is ready to deposit a sum of Rs. 7,50,000/-, without prejudice to her rights and contentions.

5 Since co-accused-Shamim Bano has undertaken to deposit the entire amount of Rs. 7,50,000/-, in the facts, custodial interrogation of the applicant is not warranted. Even otherwise, the amount is alleged to have been paid to Shamim Bano and not the applicant.

6 Considering the aforesaid, the application is allowed and the applicant is granted pre-arrest bail 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.25,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station on 29th and 30th August 2019 from 10:00 a.m. to 12:00 p.m. and thereafter, as and when called.

7 The application is disposed of on the aforesaid terms.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.