

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

**ANTICIPATORY BAIL APPLICATION NO. 1987 OF 2018**

Mrs. Shraddha Hemant Patil ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Subodh Desai a/w Dipika Batheja for Applicant.

Mr. A. A. Palkar, APP for Respondent – State.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : JANUARY 30, 2019.**

**P.C. :**

. In Crime No. 229 of 2018 for an offence punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code the Applicant is seeking pre-arrest bail.

2. The amount referred to in the First Information Report is Rs. 3,20,000/- which is claimed to have been transferred to the account of the Vihaan Direct Selling (India) Pvt. Ltd. Attention of this Court is also invited to the order dated 25<sup>th</sup> January 2019 passed in Writ Petition

(Criminal) No.17 of 2019 wherein the Apex Court has ordered no coercive action against the Company and the parties who were before it.

3. The role as could be inferred from the First Information Report against the present Applicant is that of acting as an Agent/beneficiary in multi level marketing system deputed by the Vihaan Direct Selling (India) Pvt. Ltd. In view of order of the Apex Court and the fact that the Applicant has transferred an amount of Rs. 3,20,000/- as alleged in the First Information Report in question to the Company, a case for grant of pre-arrest bail is made out. Hence, the following order.

#### ORDER

- (A) In the event of arrest in Crime No. 229 of 2018 for an offence punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, the Applicant be released on executing PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (B) The Applicant shall attend the Investigating Officer on 4<sup>th</sup>, 6<sup>th</sup> & 8<sup>th</sup> February 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed by the Investigating Officer.

(C) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

4. It is made clear that in case if the Writ Petition in which registration of the present crime is under challenge is dismissed by the Apex Court or the order passed therein in any way favours the interest of the prosecution, it shall be open for the prosecution to move for cancellation of bail.

5. With the above observations, Anticipatory Bail Application stands disposed of.

**(NITIN W. SAMBRE, J.)**