

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

ANTICIPATORY BAIL APPLICATION NO. 2429 OF 2019

Smt. Sunanda Dattatray Jadhav	...	Applicant
V/s		
The State of Maharashtra	...	Respondent

Mr. Shailesh D. Chavan, for the Applicant.
Mr. S.H. Yadav, APP for State-Respondent.
PSI-Mr. N.S. Kadam, attached to Satara City Police Station
present.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th November, 2019

PC :

This is an application for anticipatory bail in connection with C.R.No. 60 of 2019, registered with Satara City Police Station, District-Satara, for the offenses punishable under Sections 409, 420, 468, 471 r/w 34 of the Indian Penal Code ("IPC", for short).

2 The FIR was lodged by the complainant on 22/01/2019. It is alleged that false representations were made to the complainant with regard to the landed property purportedly owned by the applicant which was to be sold to the complainant for consideration of Rs.6,50,000/-. The amount was parted to the accused. On further enquiry at the time of registration of the document, it was revealed that there is

no such property in existence. Thus, false representations were made by the accused and the complainant was cheated. It is also alleged that the agreement was executed between the parties in respect of sale of property.

3 It is submitted that the applicant is a lady, aged about 58 years. She is illiterate. She has accompanied her son, who is accused in this case while executing alleged document. It is submitted that no amount has been parted to the applicant. The son of the applicant, who has been impleaded as an accused is in custody in another case registered under provisions of MCOC Act.

4 Learned APP submitted that the applicant had a knowledge about transaction. She has signed the agreement. Her custody is required.

5 The FIR was registered on 22/01/2019. The other accused are not yet arrested. It is not disputed that the son of the applicant is in custody in another case. According to the prosecution, towards the consideration in respect to the subject transaction an amount of Rs. 2 lakhs was given to the son of the applicant by cheque. The further amount of

Rs. 2 lakhs by cheque was given to Sandip Shinde and cash of Rs.2,50,000/- was parted to Arun Bodake. Thus, no amount was parted to the applicant. In the circumstances, the applicant need not be subjected to police custody. The applicant is, however, directed to co-operate with the investigation. Hence, the order as follows:-

ORDER

- (i) Anticipatory bail application no. 2429 of 2019 is allowed;
- (ii) In the event of the arrest of the applicant in connection with C.R.No. 60 of 2019, registered with Satara City Police Station, District-Satara, she be released on bail on her executing PR Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report to the Investigation Officer on 13th, 14th and 15th November 2019 between 10.00 a.m. to 12.00 p.m. and thereafter as and when called for, till filing of the charge-sheet.
- (iv) Anticipatory bail application stands disposed of.

(PRAKASH D. NAIK, J.)