

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2920 OF 2019

Shobha Balu Lad, Age 45 years,
Occ.Housewife, R/o.Ambedkar Nagar,
Ozar, Tal.Niphad, Dist.Nashik.

(Presently lodged at Jail)

Applicant

versus

The State of Maharashtra

Respondent

Mr.Manas N. Gawankar for applicant.

Smt.A.A.Takalkar, APP, for State.

Mr.B.R.Bairagi, ASI, Ozar Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 24th February 2020

PC :

1. This is an application for bail in CR No.120 of 2018 registered with Ozar Police Station Station, District Nashik, for offences under Sections 406, 409, 417, 419, 420, 471 r/w 34 of Indian Penal Code. The applicant was arrested on 4th May 2019.

2. The case of prosecution is that the complainant and others were promised by the accused that jobs could be provided to their children and they were induced to part with amount. The applicant was given Rs.5 lakh and Rs.8 lakh in cash. On completing investigation, charge sheet is filed.

3. The contention of the applicant is that there is no proof of making any payment. The case of the complainant and other witnesses is that cash was paid to the accused. The applicant is lady.

There are no criminal antecedents against her. She is in custody from the date of arrest. Since charge sheet is filed, further detention of the applicant is not necessary.

4. Learned APP submitted that the applicant and the co-accused were instrumental in making false promises to the victims who had parted amount on the inducement of applicant and others. The complainant has stated that when the demand of refund of amount was made to the applicant, she has issued two cheques of Rs.9 lakh and Rs.7 lakh respectively, which were dishonoured for want of funds.

5. The applicant is in custody from 4th May 2019. Charge sheet is filed. The applicant do not have criminal background. She is a lady. I have perused photocopies of cheques produced by the investigating officer. On perusal of the same it is apparent that the cheques were signed by one Singh. The complainant has not stated in the FIR that cheques signed by some other persons were handed over by the applicant. The said cheques were allegedly dishonoured.

6. Considering the fact that applicant is in custody from May-2019, case for grant of bail is made out. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.2920 of 2019 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.120 of 2018 registered at Ozar Police Station, on

furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall report Ozar Police Station once in a month on every first Saturday between 11 am and 1 pm till conclusion of trial;

(iv) The applicant shall not tamper with evidence;

(v) The applicant shall attend Trial Court proceedings regularly, unless exempted for some reason by Trial Court.

(PRAKASH D. NAIK, J.)

MST