

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

**ANTICIPATORY BAIL APPLICATION NO.47 OF 2021
(Stamp No.370 of 2021)**

Shamudevi H. Choudhari

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....

Mr.Vishal Laxman Kolekar i/b. Mr.Kishan Choudhari, Advocate for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 11, 2021.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.813 of 2020, registered with Wakad Police Station, Pune, for the offence punishable under Sections 306, 323, 504 and 506 read with 34 of Indian Penal Code (“IPC”, for short).

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2 First Information Report (“FIR”, for short) was lodged on 14th November, 2020, by the brother of victim alleging that the deceased was working in the grocery shop of the complainant. Amount of Rs.60,000/- was handed over to the victim. The victim

then parted this amount to the jewellers towards purchase of jewellery. The husband of the applicant learnt about it and told the jeweller to return the amount. The victim also did not return the amount. Since the amount was not returned, the victim was intimidated and assaulted. The role attributed to the applicant that she was amongst the co-accused who had pressurized and assaulted the victim.

3 Applicant had preferred an application before the Sessions Court, which has been rejected by order dated 7th December, 2020.

4 The applicant is a lady and the role attributed to the applicant is that she had allegedly assaulted the victim for not returning the amount. Learned APP submitted that the applicant has been named in the crime and role is attributed to her.

5 Considering the allegation in the FIR and the nature of dispute, it would be debatable whether the offence under Section 306 of IPC, is made out. However, considering the fact that this is an application for anticipatory bail, I refrain from making any observations in this regard. However, considering the

allegations against the applicant, I do not find that custodial interrogation of the applicant is necessary. Hence, the application deserves to be allowed.

8 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.47 of 2021, is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.813 of 2020, registered with Wakad Police Station, Pune, the applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.20,000/-, with one or more surety in the like amount;
- (iii) Applicant shall attend the investigating officer as and when called for and shall co-operate with the investigation;
- (iv) Anticipatory Bail Application No.47 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)