

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.270 OF 2019

Mrs. Prerana J. Jadhav Applicant

Vs.

State of Maharashtra Respondent

Mr. Chetan Damle i/by Mr. Sudhakar G. Thorat for Applicant
Ms. Sharmila S. Kaushik, A.P.P., for State-Respondent

Coram : NITIN W. SAMBRE, J.

Date : 7th JULY, 2021

P.C.:

1. Heard Mr. Chetan Damle holding for Mr. Thorat, learned counsel appearing for the Applicant and learned APP for the State.
2. The Applicant is seeking pre-arrest bail in Crime No. 139 of 2018 registered with Sanpada Police Station for the offence punishable under Sections 420, 406 read with 34 of Indian Penal Code.

3. It is the case of the prosecution that the Applicant's husband namely Ganesh and the present Applicant have with their common intention, promises the complainant and other prospective purchasers to provide two and four wheelers on 50% concession and accepted Rs.21,65,000/-. They have neither delivered the vehicles nor the amount was returned to the complainant and other such persons. As such, offence.

4. Investigation carried out till this date as is reflected in the papers, demonstrates that the only role attributed to the applicant is that of deposit of amount arising out of the commission of offence in her account. However, it is not the case of the prosecution or the complainant that the applicant has actively participated in the crime in question thereby making false promises to the prospective purchasers.

5. Main accused, Ganesh is informed to have been already arrested and subjected to custodial interrogation. The applicant was already protected by an order of this Court passed on 31st January, 2019. As such, she is on pre-arrest bail since more than 2 ½ years.

6. In that view of the matter, in the event of arrest in Crime No. 139 of 2018 registered with Sanpada Police Station, for the offence punishable under Sections 420, 406 read with 34 of Indian Penal Code, the applicant be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

7. The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case.

8. The Applicant shall attend Investigating Officer on 26th July, 2021 and 29th July, 2021 and thereafter as and when directed.

(NITIN W. SAMBRE, J.)