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

**CRIMINAL BAIL APPLICATION NO. 2169 OF 2021
WITH
INTERIM APPLICATION NO. 1876 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 2169 OF 2021**

SHIVANI SANJAY KADAMAPPLICANT

V/s.

THE STATE OF MAHARASHTRARESPONDENT

**WITH
INTERIM APPLICATION NO. 2919 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 2169 OF 2021**

MANOHAR DAMODAR TANKAPPLICANT

IN THE MATTER BETWEEN

SHIVANI SANJAY KADAMAPPLICANT

V/s.

THE STATE OF MAHARASHTRARESPONDENT

Mr. Sandeep C. Kekane for the applicant
Ms. A. A. Takalkar APP for the State
Mr. Mithilesh Mishra for intervener

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 13, 2021.

P.C.:

- 1] Applicant is seeking regular bail in C.R. No. 362/2020 registered with Bandra Police Station for Offences punishable under Sections 406, 419, 420, 465, 467, 468, 471 of the Indian Penal Code and under Section 66(D) of the Information Technology Act, 2000.
- 2] Prosecution story against the applicant is, she has cheated complainant for an amount around Rs. 2 Crores.
- 3] Submissions of learned counsel for the applicant are, investigation in the matter is already over. Applicant has no criminal antecedents and as such, she is entitled to be released on bail.
- 4] Further contentions are, applicant is willing to deposit the amount which has gone to a witness which investigating agency has failed to recover.
- 5] Learned APP opposed the prayer on the ground that applicant

is prima facie involved in a serious offence.

6] Considered submissions.

7] Entire amount involved in the offence is received by the applicant in her account and spent on her luxury living.

8] The claim that part of the amount has gone to the witness will be of hardly any consequence as said witness has stated to have spent the same on fulfilling demands of the applicant.

9] Investigation depicts open and shut case against the applicant, as under false promise she has cheated the complainant. The applicant by forging documents made complainant believe that she will be refunding the entire amount after she gets her scholarship.

10] As the investigation depicts prima facie involvement of the applicant in a serious economic offence, no case for bail is made out.

Application stands rejected.

11] Liberty to move before the Court of Magistrate for expeditious disposal of the trial.

12] In view of disposal of bail application, all pending interim applications also stand disposed of.

[NITIN W. SAMBRE, J.]