

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2211 OF 2021

Miss Darinee Fakkaew

Applicant

versus

The State of Maharashtra

Respondent

Mr.Sameer Pradhan, Advocate for applicant.

Mr.S.R.Agarkar, APP for State.

PSI Ps.Walke, Santacruz Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 27th September 2021

PC :

1. The applicant is apprehending arrest in CR No.55 of 2021 registered with Santacruz Police Station, Mumbai, for offences under Sections 420, 170, 452 and 34 of Indian Penal Code. The FIR was registered on 11th February 2021.

2. The case of prosecution is that four unknown persons acted in connivance with each other. Three of them had entered into the house of complainant and represented themselves as Customs Officers. One of them claimed himself to be a police officer. The documents and cash amount of complainant were taken away by them. They also took away cell phones. Hence, the FIR was registered.

3. The applicant is residing at Santacruz (West), Mumbai. As far as applicant is concerned, it is alleged that the applicant is not citizen of India. Valuable property is to be recovered from her. The arrested

accused has video recording of the incident at the instance of applicant.

4. Learned advocate for applicant submitted that cell phone is already tendered to the investigating agency. Her custodial interrogation is not necessary. She has not played any role in alleged offence. No role is attributed to her.

5. Learned APP submitted that recovery is required to be made. The cell phone of the applicant was produced before Investigating Officer and they have retrieved data from it.

6. Considering the facts of the case, applicant's custodial interrogation is not required. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) In the event of arrest of applicant in CR No.55 of 2021 registered with Santacruz Police Station, Mumbai, the applicant be released on bail on executing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Investigating Officer as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST