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

ANTICIPATORY BAIL APPLICATION NO. 1731 OF 2019

**YASMEEN FAKIR @ FAKIRA
MOHAMMED PINJARI AND ANR**

....APPLICANTS

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

None for the applicants
Ms. Sharmila S. Kaushik APP for the State
Mr. Pradeep Havnur for Respondent no. 2

CORAM : NITIN W. SAMBRE, J.

DATE: AUGUST 9, 2021.

P.C.:

1] Applicants are seeking pre-arrest bail in C.R. No. 101/2019 registered with Bandra Police Station for Offences punishable under Sections 384, 452 323, 504, 506 & 120 (B) of the Indian Penal Code. Applicants were granted ad-interim protection on 09/08/2021.

2] On the last occasion so also today on second call, none appeared for applicants.

3] I have heard learned APP assisted by learned counsel for the complainant.

4] It appears that offence in question came to have registered as an outcome of Writ Petition No. 4443/2018 disposed of on 18/03/2019. I am further informed that at the behest of complainant in Cri. Writ Petition No. 4862/2019 is pending.

5] Applicant no. 1 Yasmeen Fakir lodged a complaint on 17/04/2019 against the complainant and his son for offences punishable under Sections 376, 417, 420 r/w 34 of the Indian Penal Code and the police Station at Bandra has registered F.I.R. 'O' in which I am informed that already charge-sheet is filed.

6] Be that as it may, as far as the allegations against the applicants is concerned, I am informed by the learned APP on instructions that cheques as are narrated to have been taken by the accused persons from the complainant are already recovered whereas

cash amount as was received is yet to be recovered.

7] It appears from the investigation papers particularly in the recovery of cheques there is sufficient material to implicate the applicants in the present crime.

8] In that view of the matter, no case for grant of pre-arrest bail is made out. Application fails, stands rejected.

[NITIN W. SAMBRE, J.]