

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

**ANTICIPATORY BAIL APPLICATION NO. 2346 OF 2019**

Sandip Baliram Gharat .... Applicant

Versus  
The State of Maharashtra .... Respondent

**WITH**

**ANTICIPATORY BAIL APPLICATION NO. 2347 OF 2019**

Smt. Vrushali Dilip Shinde @ Sou  
Vrushali Amol Patil .... Applicant

Versus  
The State of Maharashtra .... Respondent

Mr. S.M. Sabrad i/b Neha C. Parte for the applicant in ABA No.  
2346 of 2019.

Mr. S.B. Sabrad i/b Amey C. Sawant for the applicant in ABA No.  
2347 of 2019.

Smt. A.A. Takalkar, APP for the State/Respondent.

**CORAM :SARANG V. KOTWAL, J.**  
**DATE : 18<sup>th</sup> MARCH, 2021**

**P.C. :**

1. Common order is passed in both these applications

because they arise out of the same investigation and same incident. For the sake of convenience the applicants are referred to by their names.

2. The Applicants are seeking anticipatory bail in connection with C.R.No. 185 of 2019 registered at Karjat Police Station, under sections 452, 323, 506(2), 504 read with Section 34 of the Indian Penal Code.

2. Heard Mr. S.M. Sabrad learned counsel for the applicants and Smt. A.A. Takalkar, learned APP for the State.

3. The FIR is lodged by Ashok Lahoti. He has stated that in the year 2017 and 2018, he had purchased two flats i.e. flat Nos. 305 and 307 in Poojan Palesia Building. He was in need of some money for his business. He came to know that the applicant Vrushali Shinde was giving loan on interest. Therefore, the informant approached her. She was willing to give loan but she told the informant that she would charge interest at 15% per

month. The informant took 6,50,000/- as loan from her. He was returning interest per month and in all he returned Rs. 14,00,000/- including the penalty. On 24/09/2019, the applicant Vrushali came to his house and told the informant's wife and son that the balance payable to her was to the tune of Rs. 34,00,000/-. She insisted that both the flats be transferred in her name. She told them that they could live in the flat but rent should be paid to her at Rs. 8,000/- per month. The informant refused. At that time, both the applicants entered the informant's house unauthorisedly and beat informant's son Sanjay with fist and kick blows. He was abused. He was threatened. While going away they put their own lock on flat No. 307. They threatened to return the next day with bond papers. The informant did not immediately approach the police but on 25/09/2019 at about 9.00 p.m., the applicant Vrushali again came to his house and asked him to sign the bond papers. Therefore, finally on 26/09/2019, the informant lodged this FIR.

4. Learned Counsel for the applicant submitted that the

FIR itself mentioned that the informant had taken money from the applicant Vrushali. The FIR is lodged on false allegations because the informant did not want to return money. He submitted that there is no evidence to show that the informant had returned Rs. 14,00,000/- in cash to the applicant Vrushali. He submitted that the offence is old. Custodial interrogation of the applicants is not necessary.

5. Learned APP opposed this application and she relied on the allegations in the FIR. She submitted that the informant's son had suffered simple injuries in the form of tenderness.

6. I have considered these submissions. The applicants are protected by interim orders since 11/11/2019 and there is no further escalation of dispute between the parties. I find substance in the submissions of learned Counsel for the applicants. Learned APP on instructions makes a statement that there is no further incident between the parties during interim period. In this view of the matter, custodial interrogation of the applicants is not

necessary. Investigation can go on without their arrest. The applicants can be protected by an order of anticipatory bail.

7. Hence, the following order :

**ORDER**

- (i) In the event of their arrest in connection with C.R. No.185 of 2019 registered with Karjat Police Station, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) Both the Applications are disposed of accordingly.

**(SARANG V. KOTWAL, J.)**