IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 896 OF 2022

Anjuman Musa Shaikh ..Applicant
V/s.
The State of Maharashtra ..Respondent

Mr. Viresh V. Purwant for the Applicant.
Mrs. N.B. Patil , APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 11 APRIL 2022

P.C.

1. The Applicant, apprehending arrest, in Crime No. 94 of 2022 registered with Shahapuri Police Station, District Satara under Section 39 and 45 of the Maharashtra Money Lending (Regulation) Act, 2014, is seeking anticipatory bail.

2. The Applicant is stated to be in the employment of Life Insurance Corporation of India('LIC'). The aforesaid crime is registered on the basis of the complaint dated 16 March 2022 lodged by one Rupal Rajendra Rajeshirke. She claims that the Applicant was indulging in illegal money lending without licence. The Informant had obtained a loan of Rs.3,50,000/- during the period from 2015 to 2016 from the Applicant at the interest rate

of 5% per month. As a security, the Applicant had obtained blank stamps and cheques from the complainant. The informant further claims that she had paid an amount of Rs.6,50,000/- to the Applicant. However, misusing the blank documents which were earlier obtained, the Applicant is demanding further amount by misusing and threatening the informant.

3. I have heard learned counsel for the Applicant and the learned APP.

4. Learned counsel for the Applicant strenuously urged that, the Applicant being a single lady in the employment of central government, the arrest would have adverse effect on her service career. It is submitted that the Applicant is ready and willing to cooperate in the matter of investigation. He pointed out that there is joint saving account held by the Applicant alongwith the informant Rupal Rajendra Rajshikre, Sangita Shinde and Rani Lohar with Kalyan Janata Co-operative Bank, Satara. Thus, it is submission of the learned counsel that even the informant was a part of all the transactions which the learned counsel submitted were by way of operating a chit fund.

5. The learned APP pointed out that about 69 blank stamps papers and 26 blank cheques have been recovered from the drawer of the Applicant in her office and there is no

explanation from the Applicant having found in the possession of such blank stamps/cheques for which the investigation is necessary. The learned APP submitted that the investigating officer can also investigate into role of all the concerned including the complainant if her complicity is also found in the offence.

6. I have considered the circumstances and submissions made. At least prima facie it appears that there are substantial number of transactions, which may have entered into, as there is recovery of 69 blank cheques/stamps and 26 cheeques as claimed on behalf of the investigating officer which are recovered.

7. Prima facie, it is not shown that any permission is obtained from organising a chit fund under the Chit Funds Act, 1982. There may be other investors apart from the complainant looking to the nature of the recovery as claimed on behalf of the prosecution. In my considered view, the proper investigation of the matter is paramount consideration at this stage. No case for grant of pre-arrest bail is made out.

8. Criminal Application is accordingly rejected.

9. It is made clear that the observations herein are for the limited purpose of deciding the application for anticipatory bail and the Sessions Court shall not be influenced by the same at

any subsequent stage of consideration of application for regular bail, if any.

(C.V. BHADANG, J.)