IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.998 OF 2022

Archana Mangesh Jagtap … Applicant
versus
The State of Maharashtra … Respondent

Mr. Kuldeep Nikam, for Applicant.
Mr. N.B.Patil, APP, for State.
Mr. C.C.Thorbole, PSI, Sinhagad Road Police Station, present.

CORAM: N.J.JAMADAR, J.

DATE : 13th JUNE, 2022

P.C.

1. This is an Application for pre-arrest bail in connection with C.R.No.134 of 2022 registered with Sinhagad Road Police Station, Pune, for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, 1860.

2. Mr. Ramesh Dilip Gaikwad (the first informant) lodged a report with the allegations that during the period 2014 to 2020, the co-accused Mr. Santosh Chinchwade and Mrs. Roshna Chinchwade induced him to invest a huge amount, by giving a promise of sumptuous return on investment and inducting the first informant as a partner in the business, which the co-accused Nos.1 and 2 were running.

3. The first informant claimed that he was made to part with a huge sum of Rs.1,23,96,000/- by way of online remittances, through cheques and in cash. A sum

of Rs.24,77,000/- only was repaid. The co-accused and the Applicant and their associates, thus, duped the first informant of the huge amount of Rs.1,21,48,300/-. The first informant referred to as many as 24 transactions. Qua the Applicant, it was alleged that, a sum of Rs.12,50,000/- was deposited in the account of the Applicant.

4. By an order dated 13th April, 2022, this Court granted interim pre-arrest bail to the Applicant. This Court noted that the Applicant claimed that the amount which was transferred in the account of the Applicant, was promptly remitted in the account of the accused No.1, as the Applicant was working as a Manager with the Accused No.1.

5. The Applicant has placed on record a copy of the statement of account, evidencing the transactions. The Investigating Officer has also placed a copy of the statement of account.

6. Evidently, a sum of Rs.10 Lakhs which was deposited in account of the Applicant on 8th June, 2020, came to be transferred to the account of Chinchawade Foods and Beverages on the very day. Likewise, a sum of Rs.2,50,000/- deposited on 19th October, 2019 came to be remitted to the account of Chinchawade Foods and Beverages on the same day. The Applicant has placed on record the documents to show that she was appointed as a Senior Manager in Chinchawade Foods and beverages on 15th March, 2019 and she resigned on 30th September, 2021.

7. In the aforesaid view of the matter, there is a substance in the submission

on behalf of the Applicant that the Applicant was a only an employee of the Company, controlled by the principal accused. The amounts which was credited to the account of the Applicant was promptly transferred to the account of Chinchawade Foods and Beverages/accused.

8. In the circumstances, the custodial interrogation of the Applicant does not seem to be warranted, for an effective investigation. I am, thus, impelled to confirm the order of interim pre-arrest bail. Hence the following order :

ORDER

(i) The Application stands allowed.

(ii) The interim order dated 13th April, 2022 is made absolute on the same terms and conditions.

(iii) In addition, the Applicant shall regularly attend the proceeding before the learned Magistrate.

(N.J.JAMADAR, J.)