

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

ANTICIPATORY BAIL APPLICATION NO. 1627 OF 2021

Kiran Suresh Panjwani Applicant
Versus
The State of Maharashtra Respondent

Mr. Abhijeet Shukla for the Applicant.

Mr. P. H. Gaikwad, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 4th FEBRUARY, 2022

(Through Video Conferencing)

P.C. :

1. The Applicant is seeking anticipatory bail in connection with CR No.585 of 2021 registered with Malad Police Station, Mumbai under Sections 420, 406 r/w Section 34 of the Indian Penal Code.
2. In an earlier Order dated 26th July, 2021 the statement was recorded on her behalf that she was willing to deposit Rs.1,00,000/- in this Court.
3. Heard Mr. Abhijeet Shukla, learned counsel for the Applicant and Mr. P. H. Gaikwad, learned APP for the State/Respondent.
4. The learned counsel for the Applicant states that the Applicant has deposited Rs.1,00,000/- on 18th August, 2021.
5. The FIR was lodged by one Kinjal Shah. She has stated that

she was acquainted with the Applicant in December, 2018. The Applicant told her that one Sandhya Tiwari would give role to the informant's daughter in a serial and for that the informant was required to pay Rs.1,00,000/-. It was represented to the informant that the agreement to that effect would be executed. The informant agreed. The allegations in the FIR are that Sandhya Tiwari and the present Applicant had taken Rs.1,50,000/- from the informant and Rs.6,70,000/- had taken from three other namely Neeta Prajapati, Moulik Parikh and Mayank Varma. Thus, in all they had taken Rs.8,20,000/-, on assurance of giving role to their children in a serial. The roles were not given, thus Sandhya Tiwari and the present Applicant had cheated all of them.

6. The learned counsel for the Applicant submitted that the Applicant herself had paid money to Sandya Tiwari for role that was assured to be given to her daughter. She had lost that money. The learned counsel for the Applicant submitted that the Applicant has deposited Rs.1,00,000/- in this Court.

7. The learned APP on instructions submitted that the Applicant has retained Rs.2,20,000/- out of the entire amount which the subject matter of this FIR.

8. The Applicant herself has a teenaged daughter. The main allegations are against Sandya Tiwari. As per the Investigation, the

Applicant has misappropriated Rs.2,20,000/-, but now she has deposited Rs.1,00,000/- in this Court. Her claim is that she has also paid to Sandya Tiwari for the Applicant's daughter to get a role which was not eventually given. That has to be taken into consideration.

9. Taking overall view of the matter, the custodial interrogation of the Applicant will not serve any purpose and she has sufficiently shown her *bonafide* by depositing Rs.1,00,000/- in this Court. In this view of the matter, she can be granted an order of anticipatory bail.

10. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with CR No.585 of 2021 registered with Malad Police Station, Mumbai under Sections 420, 406 r/w Section 34 of the Indian Penal Code, the Applicant is directed to be released on bail on her executing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned police station as and when called and shall co-operate with the investigation.
- (iii) The Investigating Officer is directed to inform the first informant that Rs.1,00,000/- is deposited in this Court and she is at liberty to make an application for

withdrawal of that amount. If such application is made, it shall be decided on its own merits.

- (iv) This Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)