

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1729 OF 2022**

Rita Rohit Chugani .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Ms.Swati Khot for the applicant.
Ms.A.A.Takalkar, APP for the State.
Sr.PI R.P. Pawar from Kalyan Taluka police station.

**CORAM: BHARATI DANGRE, J.
DATED : 30th JUNE, 2022**

P.C:-

1 The applicant is the wife of one Rohit Chugani, who came to be arrested in C.R.No. 498/2019 registered with Kalyan Taluka police station invoking Sections 420, 406, and 34 of the IPC. The complainant is one Mohd. Taher Shaikh, who alleged that he invested his amount in a project floated by the accused no.1 and he was assured possession to be delivered by June 2016, of a flat being booked by him bearing Flat No.212 in Rivershire. He alleged that he deposited refundable amount to the accused no.1, but despite the promise to deliver the possession, there was non-compliance and the construction remained incomplete and even their office was shut down.

2 The present applicant is alleged to be his partner in a firm styled as M/s.Aanya Realtors which undertook various projects.

Her statement is, she was not involved in day-to-day business of construction carried out by the firm though there is no denial that she was a partner in the said firm. Construction of five buildings was commenced by the said firm and there is also no denial that certain work of the project remain incomplete.

3 In any case, the husband of the applicant i.e. accused no.1 came to be arrested and all the necessary documents and investigation is complete as far as he is concerned, alleging that M/s.Aanya Realtors has duped the complainant by not delivering possession of the flat as assured. The C.R. is registered in the year 2019 and the custodial interrogation of the applicant is not warranted in the wake of the arrest of the husband who is the main accused. Hence, the following order :-

- (a) In the event of her arrest, the Applicant – Rita Rohit Chugani in connection of C.R.No.498/ 2019 registered with Kalyan Taluka police station shall be released on bail on furnishing P.R. bond to the extent of Rs.50,000/- with one or two sureties of the like amount.

- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall make herself available for investigation as and when required by the Investigating Officer.

4. The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)