

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1846 OF 2022**

Savita Rakesh Karn	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

...

Mr.Shailendra Singh with Prabhat Dubey for the applicant.

Smt.Veera Shinde, APP for the State.

PSI Shri Y.S. Khande from Palghar police station present.

**CORAM: BHARATI DANGRE, J.
DATED : 14th JULY, 2022**

P.C:-

1 The applicant seek protection from arrest in C.R.No. 48/2021 registered with Boisar police station which invoke Sections 406, 420, 465, 468, 473 read with Section 34 of the IPC.

2 Pertinent to note that in the very said C.R, the husband of the applicant was arraigned as accused no.1 and he was arrested. On completion of investigation, charge-sheet is filed against him and he is released on bail.

3 The complaint resulting in registration of C.R, allege that the accused no.1 introduced himself as an employee of Railway and claim that he can assure employment in Railway and also help the complainant in awarding a railway contract of location box and signal painting. It was assured that the contract would be executed in the name of the complainant and his wife. He was asked to make payment of Rs.85,000/- for awarding of the contract.

 Since, neither the tender was allotted nor any work was provided under it, he claimed the amount back from the applicant but was unable to receive the same, which resulted in registration of offence.

4 The learned APP state that apart from the complainant, statements of 11 persons have been recorded who have been duped by the applicant and his wife by projecting himself to be capable of providing employment in railway or some work/ contract.

 She has placed before me statement of Shri Bhavesh Jimbal and Sou.Laxmi Dubey recorded during the course of investigation and which are compiled in the charge-sheet. As per the two witnesses, on an assurance being given by accused no.1, that a contract would be awarded in his favour, cash amount of Rs.16 lakhs was given by Bhavesh Jimbal to the present applicant and in another case, by Laxmi Dubey, an amount of Rs.18 lakhs

in cash is handed over to the accused no.1 and the present applicant.

Apart from these two statements, it is fairly stated by the learned APP that there is no other material against the present applicant.

5 The accused no.1 is already arrested and is charged for offences punishable u/s.420, 406, 465, 468, 473 r/w Sec.34 of IPC. The material to try the accused persons for the offence of criminal breach of trust and forgery is already compiled in the charge-sheet.

The custodial interrogation of the applicant in the aforesaid circumstances is not warranted. However, she shall continue to render her co-operation to the Investigating Officer. Hence, the following order :-

: **ORDER** :

(a) Application is allowed.

(b) In the event of arrest in connection with C.R.No.48/2021 registered with, the applicant Savita Rakesh Karn shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

(c) The applicant shall report to the Investigating Officer on 20th and 21st July 2022 between 3.00 p.m to 5.00 p.m and thereafter as and when called for.

(d) 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.

(SMT. BHARATI DANGRE, J.)