

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

ANTICIPATORY BAIL APPLICATION NO. 2711 OF 2022

Sunita @ Sunil Pannalal Jaju	...Applicant
Versus	
The State Of Maharashtra	...Respondent

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Mr. Satyavrat Joshi i/by Mr. Ashish S. Vernekar, Advocate for the Applicant.

Mr. N. B. Patil, APP for the Respondent – State.

PSI Nilesh Mokashi Faraskhana Police Station present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd OCTOBER, 2022

PC :

1. The applicant is seeking anticipatory bail in connection with C.R. No. 115 of 2022 registered with Faraskhana Police Station for offences punishable under Sections 420, 467, 468, 471 read with 34 of the Indian Penal Code. The FIR was registered on 12.07.2022.

2. The prosecution case is that the complainant is the father of applicant. It is alleged that the applicant and other accused had transferred the amount from fixed deposit receipt to other account causing huge loss to the complainant. From the FIR it appears that the applicant had

allegedly transferred the amount of Rs.40,277/- and Rs. 2,27,208/- individually and jointly with the co-accused Bharti Pungliya an amount of Rs.1,44,204/-.

3. Ms. Bharti Pungliya had preferred an application for anticipatory bail before this Court and agreed to deposit the amount of Rs.5,00,000/- in this Court. The said amount has been deposited in this Court vide order dated 21.09.2022, allowed the application for anticipatory bail preferred by Bharti Pungliya and Ganpatdas Gokuldas Ranka considering their statements to deposit the amount of Rs.5,00,000/- and 3,00,000/-.

4. Learned APP submitted that the amount were surreptitiously transferred by accused since last 16 years. The case of the prosecution is that the applicant is responsible for fabricating the consent letter for transferring the amount from FD. Hence, her custodial interrogation is necessary.

5. Assuming the allegations to be true and as it appears from the FIR that the applicant has allegedly misappropriated the amount which is apparently secured.

Co-accused Bharti Pungliya had deposited the amount of Rs.5,00,000/-. She was held responsible for joint misappropriation of Rs.1,44,000/- with the applicant. As far as the allegations of the fabrication of documents which had allegedly occurred in the year 2016. the applicant need not be subjected to custodial interrogation.

ORDER

- (i) Anticipatory Bail Application No. 2711 of 2022 is allowed.
- (ii) In the event of arrest of the applicant in connection with C.R. No. 115 of 2022 registered with Faraskhana Police Station, Pune, the applicant be released on bail on executing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount.
- (iii) The applicant shall appear before the Investigating Officer on 10th, 11th and 12th October, 2022 and thereafter, as and when called for till filing of the charge-sheet.
- (iv) Anticipatory Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)