

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2830 OF 2022

Vandana D. Punekar
V/s.
State of Maharashtra

...Applicant

...Respondent.

Mrs. Swati Khot i/b Mr. Harshad V. Bhadbhade for the Applicants.
Ms P.P. Shinde, APP for the Respondent – State.
Mr. S.C. Vanjare, Police Hawaldhar attached to Sanjaynagar Police Station present.

CORAM : N.R. BORKAR, J.
DATE : 10.11.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure (Cr.P.C.) for grant of anticipatory bail.
2. The applicant is apprehending her arrest in C.R.No. 167 of 2022 registered at Sanjaynagar police station, Sangli for the offence punishable under Section 380 of the Indian Penal Code, 1860 (IPC).
3. On 17 October 2022, this Court passed the following order:
“1. At the request of learned APP appearing for the respondent/ State, stand over to 10 November 2022 to verify the criminal antecedents of the present applicant.

2. In the meantime, considering the fact that there is delay in lodging the FIR, for which there is no explanation, I am inclined to release the applicant on interim anticipatory bail.

3. In the event of arrest of the applicant in C.R. No. 167 of

2022 registered at Sanjaynagar police station, Sangli for the offence punishable under Section 380 of the Indian Penal Code, 1860, the applicant be released on executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount.

4. The applicant shall attend the concerned police station from 20 October 2022 to 22 October 2022 between 11.00 a.m. and 2.00 p.m. and shall cooperate in the investigation.

5. Place the application for further consideration on 10 November 2022."

4. The learned APP appearing for the respondent/ State submits that the applicant has attended the concerned police station as directed by this Court. The learned APP, however, submits that the applicant has not cooperated in the investigation. The learned APP further submits that there are no other criminal antecedents.

5. I have heard the learned counsel for the applicant and perused the FIR. Perusal of FIR reveals that on the date of alleged incident of theft, which took place on 8 June 2022, one Pandurang Tupe, who was known to the complainant, took the present applicant to the house of complainant as said Pandurang Tupe was told to search some girl/woman to look after the brother of the complainant's brother who is paralytic. The allegations are that the present applicant on the pretext of going to washroom stolen the cash amount of Rs.10,000/- and gold chain worth Rs.30,000/- which were lying there on the bed in the house of the complainant. It appears from the FIR that the applicant was asked

whether she is willing to marry complainant's brother. According to the learned counsel for the applicant, the complainant and Pandurang Tupe were insisting her to marry complainant's brother as she refused, the false allegations are made against her. Considering the facts and circumstances and as there are no criminal antecedents, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

- A) Anticipatory Bail Application is allowed.

- B) In the event of arrest of the applicant in C.R.No. 167 of 2022 registered at Sanjaynagar police station, Sangli for the offence punishable under Section 380 of the IPC, the applicant be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]