

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2976 OF 2022

Darshana Ankush Golatkar	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Dilip Shinde for the Applicant.
Smt.Veera Shinde, APP for the State.
PSI Taware and API Tambe present.

CORAM : BHARATI DANGRE, J

DATE : 20th OCTOBER, 2022.

P.C.

1] The Applicant is apprehending arrest in MECR No.03/2018 registered with Pant Nagar Police Station which invoke offence under Section 406, 419, 420, 427, 465, 468, 479, 120(b), 504, 506 read with 34 of the Indian Penal Code.

2] The learned counsel for the Applicant would submit that going by the prosecution case, the present Applicant is alleged to have given an impression to the victim that she is working in MHADA and one person has parted sum of Rs.1 Lakh which is received by the present Applicant and this has surfaced through the statement of Mangesh Lad recorded on 23.03.2018.

3] The submission of learned counsel is to the effect that accepting the case of the prosecution as it is, she is beneficiary to the tune of only Rs.1 Lakh, whereas Shashikant Parab, has received the amount of Rs.25,15,000/- from the complainant and Rs.15,10,000/- from Namrata Naik, and he is released on bail on 05.02.2022 by the Sessions Court in Bail Application No.258/2022.

4] I have perused the said order.

Since the main accused is released on bail, I do not think that present Applicant is required to undergo custodial interrogation particularly when her role has clearly surfaced through the statements of witnesses. It is also to be noticed that the prosecution has not challenged the bail order dated 05.02.2022.

5] In the wake of above, considering the fact that the investment is made in the year 2017, whereas FIR came to be registered in the year 2022, I do not think that custodial interrogation is necessary.

Hence, the following order :

ORDER

(a) Application is allowed.

(b) In the event of arrest in connection with MECR No.03/2018 registered with Panatnagar Police Station, the applicant Darshana Ankush Golatkar, 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 concerned police station from 01.11.2022 to 03.11.2022, 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.

[BHARATI DANGRE, J]