

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.127 OF 2022

Sheela Sunil Bhajgavre

Versus

State of Maharashtra, through P.S. Gadge Nagar, Dist. Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.V. Navlani, Advocate for the applicant.

Shri S.A. Ashirgade, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 16/03/2022

1. The applicant is seeking pre-arrest bail in Crime No.115 of 2022, dated 24.01.2022 registered with Police Station Gadge Nagar, District Amravati, for the offence punishable under Section 376, 406, 109, 307 and 420 read with Section 34 of the Indian Penal Code, against the four accused persons including the applicant, who is the mother of the main accused.

2. The allegations are that the main accused Suraj Sunil Bhajgavre demanded Rs.Ten Lac from the complainant to purchase an agricultural field and thereupon, the complainant paid this amount to the main accused. It is further alleged that the accused No.1 promised her to repay the amount on 10.01.2022 and took her to hotel on 09.01.2022 and established with her sexual relation and later on, he refused to repay the

amount. The allegations against the applicant is only that the amount was deposited in her account.

3. This Court on 01.03.2022, granting *ad-interim* protection to the applicant and accordingly, the applicant has attended the concerned Police Station as directed by this Court. There is no complaint of misuse the liberty by the applicant.

4. On perusal of the Case Diary, I find nothing against the applicant except the allegation that after the amount was received by the accused No.1 from complainant, he handed it over to the applicant. As no *prima facie* incriminating material there to show the involvement of the applicant in the alleged offence, I am of the view that the *ad-interim* protection granted to the applicant needs to be confirmed. Hence, I pass the following order:

- a) The application is **allowed**.
- b) Order passed by this Court on 01.03.2022, granting *ad interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when her presence is required.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]