



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

BAIL APPLICATION NO. 2594 OF 2023

SUCHETA SUNIL PARANJAPE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
INTERIM APPLICATION NO. 3634 OF 2023**

VINAYAK KRISHNARAO PHADKE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Kedar J. Patil a/w Adv. Sakshi S. Kadam a/w Adv.
Prajay Kutkar for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

Adv. Vishwajeet V. Mohite a/w Adv. Pranjali Jadhav for the
Complainant.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 04, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 175, 181, 182, 191, 192, 199,
200, 405, 34, 415, 417, 418, 420, 421, 422, 425, 464, 462,

467, 468, 471, 474, 477 of the Indian Penal Code registered on 15/03/2023 vide C.R. No. 65 of 2023 with Mahatma Gandhi Chowk Police Station, Sangli.

3. The applicant is accused No.2. There are in all 3 accused. The accused No.1 is the husband of the present applicant. Accused No.3 is the daughter of the present applicant. Accused No.3 has been enlarged on bail. The first informant is the Chief Executive Officer of the Jana Kalyan Nagari Sahakari Patasanstha Karad, Sangli Branch (hereafter 'Pathsanstha' for short). Briefly stated, it is the case of the first informant that a loan amount of Rs.75 Lakhs was sanctioned in the name of accused No.1. Loan amounts of Rs.75 Lakhs and Rs.50 Lakhs were sanctioned in the name of the present applicant and accused No.3 respectively. The informant secured some properties against the loan that was sanctioned. It was later realised that the valuation of the properties which have been secured was much less than what was projected by the applicant and this is how the accused have cheated with the Pathsanstha. It is further submitted that some of the

properties were secured to some other creditors. Learned counsel for the informant submitted that the applicant and the other co-accused are not clearing the outstanding loan amount and the interest thereon which is approximately to the tune of Rs. 5 Crores.

4. Learned APP and learned counsel for the intervener were also at pains to point out that there are several cases registered against the present applicant. The applicant in connivance with the other accused has systematically cheated the informant. It is always open for the informant to adopt civil proceedings for recovery as well as take proper steps for the disposal of the properties which have been secured by the Pathsanstha in accordance with law. Learned counsel for the informant invited my attention to the compilation which has been filed on behalf of the informant reflecting civil/criminal cases pending against all the accused as well as the present applicant. It is, therefore, submitted that the present application should be rejected.

5. The applicant was arrested on 04/07/2023. Accused

No.1 who is the husband of the applicant is in custody. Learned counsel for the applicant submitted that the entire affair was looked after by accused No.1 i.e. the husband of the present applicant. An affidavit of accused No.1 has been filed in compliance with the earlier statement of the learned counsel for the applicant. In the said affidavit, it stated by accused No.1 that permission be granted to sell properties which are mentioned in the affidavit to pay the outstanding dues. It is open for the accused to negotiate with the informant as regards the manner in which the outstanding can be cleared. It is also always open for the informant to take such measures in accordance with law to ensure that the outstanding of the bank is cleared.

6. Learned counsel for the applicant, on instructions, submits that the applicant is willing to file an affidavit with the trial Court that the applicant shall not deal with the properties mentioned in the affidavit of accused No.1 henceforth in any matter whatsoever and shall co-operate with the informant in the disposal of the properties. The statement is accepted as an undertaking to this Court.

7. The applicant is a woman and is in custody since 04/07/2023 as an undertrial and the trial is likely to take a long time to conclude. The investigation is complete and the charge-sheet has been filed. The applicant does not appear to be a flight risk. The applicant can be enlarged on bail. The applicant shall face the consequences post-trial if she is found guilty. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Sucheta Sunil Paranjape in connection with C.R. No. 65 of 2023 registered with Mahatma Gandhi Chowk Police Station shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall abide by the statement made in this Court and file the affidavit within a period 2 weeks from the date of her release.

8. The bail application is disposed of. The interim application also stands disposed of.

(M. S. KARNIK, J.)