

Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 2931 OF 2023

Arti Shriniwas Joshi ...Applicant

Vs.

The State of Maharashtra ...Respondent

Ms. Priyanka H. Chavan, for Applicant.

Mrs. A. A. Takalkar, APP for State.

Mr. N. M. Devkane, HC, Pandharpur Police station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 20th OCTOBER, 2023

PC:-

- 1) Heard the learned counsel for the applicant and the learned APP for the State.
- 2) This application is preferred for pre-arrest bail in connection with C.R. No. 345 of 2023, registered with Pandharpur City police station, Solapur Rural for an offence punishable under Section 420 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
- 3) The first informant was in need of a loan to the tune of Rs.60,00,00,000/-. His application for loan submitted to Cosmos Bank was not getting processed expeditiously. Hence,

the first informant withdrew the loan application. Applicant Aarti Joshi was the loan processing officer. The first informant alleges, applicant Aarti Joshi introduced Co-accused Raju Inamdar. It was represented that Raju would secure loan for the first informant. Initial negotiations failed. Later on, applicant again induced the first informant to pay amount to Raju Inamdar by representing that she would persuade Raju Inamdar to secure the loan for less commission. Raju Inamdar induced the first informant to part with a sum of Rs.18,00,000/-. Neither, the loan was sanctioned. Nor the amount of Rs.18,00,000/- was repaid. Cheque drawn by Raju Inamdar was also dishonoured on presentment. Hence, report.

4) By an order dated 18th October, 2023, this Court has granted pre-arrest bail to co-accused Mukul Inamdar. There is no qualitative difference between the applicant and the co-accused Mukul, though the applicant had introduced the first informant to the co-accused, in whose account a sum of Rs.18,00,000/- was transferred.

5) The question as to whether the applicant also shared the dishonest intention since the inception of the transaction, is a matter for trial.

6) I am, therefore, inclined to exercise the discretion in favour of the applicant.

7) Thus, the following order:-

ORDER

I) In the event of arrest of the applicant in connection with C.R. No. 345 of 2023, registered with Pandharpur City police station, Solapur Rural for an offence punishable under Section 420 read with Section 34 of Indian Penal Code, 1860 , the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall co-operate with the investigation and attend Pandharpur City police station, Solapur Rural on 30th and 31st October, 2023 in between 10.00 am to 1.00 pm.

III) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.

IV) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

V) The application stands disposed.

[N. J. JAMADAR, J.]