

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

ANTICIPATORY BAIL APPLICATION NO.73 OF 2023

Vandana Pankaj Zanke and anr. ..Applicants
VS.
The State of Maharashtra ..Respondent

Mr. Taukeer Siddiquee a/w Mr. Abhishek S. Mishra for the applicants.

Ms. A. A. Takalkar, APP for the State.

Mr. Waman Thakare, API, Dharavi Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 11, 2023

P.C. :

- 1.** Heard learned counsel for the applicants and learned APP for the State.
- 2.** This is an application for pre-arrest bail in respect of the offence punishable under Sections 406, 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.1198 of 2022 dated 14/10/2022 registered with Dharavi Police Station.
- 3.** It is the case of the complainant that the co-accused - Laxman Zanke induced them to part with substantial sums

of money on the assurance that a room will be allotted to them in MHADA at a reduced price. The complainant claims to have given Rs.55,50,000/- to six co-accused who are named in the FIR. The applicants are not named in the FIR. The applicants are related to co-accused-Laxman. The applicant no.1 is the daughter-in-law of the accused No.2 and the applicant No.2 is the son of the accused No.2. The transaction has taken place on the account of Laxman and Tushar Vaity. The allegations are mainly against the co-accused Nos.1 and 2 who are stated to have received the money. The applicants are willing to deposit Rs.3,46,000/- before the trial Court. The statement that the amount of Rs.3,46,000/- will be deposited with the trial Court within a period of 4 weeks from today is accepted as an undertaking to this Court.

4. Considering the nature of complicity of the present applicants, they have not been named in the FIR and that it is not the applicants who are actually in receipt of the monies from the complainant, the custodial interrogation of the applicants is not necessary. The applicants therefore can

be released on pre-arrest bail. There are no criminal antecedents reported against the applicants. Hence, the following order :-

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R. No.1198 of 2022 registered with Dharavi Police Station, the applicants-Vandana Pankaj Zanke and Pankaj Laxman Zanke shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- each with one or more sureties in the like amount.
- (c) The applicants shall report to the Investigating Officer of the concerned police station as and when called.
- (d) The applicants to co-operate with the Investigating Officer.
- (e) The applicants 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 and shall not tamper with evidence.
- (f) The applicants shall furnish the details of their residential addresses and phone numbers to the investigating officer.

(g) The applicants shall abide by the statement made.

(h) It is, however, made clear that in case of any breach of condition on part of the applicants, the prosecution or the complainant are at liberty to move this Court for seeking cancellation of bail.

5. The Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)