

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

ANTICIPATORY BAIL APPLICATION NO.147 OF 2023

Mrs. Chitra Ravindra Harad	...Applicant
Versus	
The State of Maharashtra	...Respondent

...

Mr. Pratap Nimbalkar for the Applicant.
Mr. Shrikant Yadav, APP for Respondent -State.
Mr. Sudhir Ghadge, API, Meghwadi Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 5th APRIL, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R. No.83 of 2022 registered with Meghwadi Police Station, Mumbai, for the offences punishable under Sections 406 and 420 r/w. 34 of the IPC.
2. Heard Mr. Nimbalkar, learned counsel for the Applicant and Mr. Shrikant Yadav, learned APP for the Respondent -State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.
3. The aforesaid crime was registered pursuant to the FIR

lodged by Falguni Sandeep Naik. The facts narrated in the FIR prima facie indicate that the First Informant was in need of loan. It is alleged that husband of the Applicant and one Pawan Mutreja had assured the First Informant that they would assist her in getting said loan. It is alleged that the First Informant had paid an amount of Rs.2.66 crores to the husband of the Applicant and Pawan Mutreja for arranging the amount of loan of Rs.300 crores. It is alleged that neither the loan was disbursed nor the said amount of Rs.2.66 crores was refunded.

4. The allegations are essentially against the husband of the Applicant and Pawan Mutreja. There is prima facie no material on record to prove the involvement of the Applicant in the said crime. The Applicant was granted interim bail. It is stated that the Applicant has appeared before the Investigating Officer and joined the investigation. Learned APP, under instructions from the Investigating Officer states that presence of the Applicant is not required for the purpose of interrogation.

5. In the light of the said statement and particularly considering the nature of accusations against the Applicant, in my considered view this would be a fit case to exercise discretionary relief

under Section 438 of the Cr.P.C. in favour of the Applicant. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No.83 of 2022 registered with Meghwadi Police Station, Mumbai, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount;
- (ii) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer;
- (iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner.
- (iv) The Applicant shall keep the Investigating Officer informed of her current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)