

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

ANTICIPATORY BAIL APPLICATION NO.2126 OF 2023

Shahida Rahim Shaikh	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Hrishikesh Chavan i/b. Mr. Praneetkumar Mhaskar
for the Applicant.

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

Mr. Vishnupant Tidke, PSI, Meghwadi Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 28th JULY, 2023.

P. C. :-

. The Applicant apprehends her arrest in C.R.No.67/2023 registered at Meghwadi Police Station, Mumbai for offence punishable under section 420 of the Indian Penal Code.

2. Heard learned counsel for the Applicant and learned APP for the 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 Anil Mayekar. The facts narrated in the FIR prima facie reveal that the

first informant wanted to purchase a house. He was introduced to the co-accused – Mahesh Gurav. Said Mahesh Gurav assured him that he would get him house for Rs.25,00,000/- at MMRDA, Gautam Nagar, Kanjurmarg (E), Mumbai. The first informant paid to the Applicant a total amount of Rs.11,00,000/-. The deal did not materialize despite which the Applicant did not repay the money received from the first informant. Hence, the FIR.

4. Learned counsel for the Applicant states that the sister of the Applicant had transferred the said amount in the account of the father of the first informant. Learned APP confirms the said statement. In such circumstances, in my considered view, this would be a fit case to exercise discretion under section 438 of Cr.P.C.

5. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.67/2023 registered at Meghwadi Police Station, Mumbai, she shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer on 31/07/2023 and 01/08/2023 between 11:00 a.m. to 02:00 p.m. and further as and when required by the Investigating Officer ;

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(d) 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.

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Date: 2023.08.01
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(SMT. ANUJA PRABHUDESSAI, J.)