



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3353 OF 2023**

Poonam Rajkumar Singh	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Satyan R. Pille, for Applicant.
Mr. S.H.Yadav, APP for State.
Mr. Pavan A. Nandre, API Vashi Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 5 DECEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.38 of 2023 registered with Vashi Police Station for the offences punishable under Sections 454, 457, 380, 212, 411 read with Section 34 of the Indian Penal Code.
3. The allegations qua the applicant is that Mr. Ashish @ Suraj Jilendar Singh, accused No.2, who is the son of Rajendri Jitendar Singh, had committed house breaking and theft at the house of the first informant. On 29 March 2023, statement of Smt. Rajendri Singh was recorded. It transpired that accused No.2 had delivered the stolen property to the applicant who is his sister for disposal. The husband of the applicant had allegedly acquired the immovable properties out of the said stolen property.

4. The learned Counsel for the Applicant submitted that apart from the said statement of the mother of the applicant, there is no other material to connect the applicant with the crime.
5. Learned APP fairly concurs with the said submission. It was submitted that Smt. Rajendri Jalendar Singh has also been arraigned as an accused.
6. Prima facie, the statement of Smt. Rajendri Jalendar Singh, on the basis of which the applicant is sought to be roped in, appears to be omnibus in nature. The accused No.2 who had allegedly committed theft does not seem to have made any disclosure statement implicating the applicant. Prima facie, there is no material to show that the applicant can be roped in as the receiver of stolen property.
7. In view of the aforesaid nature of the material pressed into service against the applicant, I am inclined to exercise the discretion in favour of the applicant.
8. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Poonam Rajkumar Singh in connection with C.R.No.38 of 2023 registered with Vashi Police Station, the Applicant be released on bail on furnishing 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 report to Vashi Police Station on 18th and 19th December 2023 in between 10.00 a.m. to 1.00

p.m., and thereafter, as and when directed.

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

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The application stands disposed.

(vi) It is, however, clarified that the observations are confined to the consideration of entitlement for pre-arrest bail and the trial Court shall not be influenced by any of the observations in further proceedings.

(N.J.JAMADAR, J.)