



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.36 OF 2024

Mrs. Tejashree Balasaheb Jagtap-Gaikwad ... Applicant

VERSUS

The State of Maharashtra
and another ... Respondents

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Mr. Satyajeet Karale Patil h/f Mr. Tushar Shinde, Advocate for
Applicant

Mr. S.R. Wakle, APP for Respondents – State

Mr. Omkar Narsale h/f Mr. Ganesh Sovani, Advocate for
Informant

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th MARCH, 2024

ORDER :

1. Applicant apprehends arrest in Crime No.1340 of 2023 registered with Kotwali Police Station, Ahmednagar for offences punishable under sections 406, 420, 506 read with section 34 of the Indian Penal Code.

2. FIR is lodged by Mansi Kaustubh Ghule alleging that she runs a private tuition and she acquainted with accused persons. Accused persons run Leo Holidays Tours and Travels, a registered company at Ahmednagar. Accused persons provoked and prevailed upon complainant and others to invest their amounts in said company for Ticket Blocking in the

Airline assuring that handsome returns would accrue on the investments. After gaining confidence of informant and others, during the period from 21.07.2023 to 11.07.2023 from time to time, the accused persons fraudulently procured an amount of Rs.83,61,000/- from the complainant and others. However, accused persons neither paid her any amount as agreed nor her principal sums were invested in their company. When informant and others demanded the amounts back, they were threatened by accused persons of dire consequences and defalcated their huge amount. Thus accused persons in furtherance of their common intention cheated and defrauded informant and others.

3. Heard learned advocate for applicant, learned APP for the respondents-State and learned advocate for informant. Perused the investigation papers.

4. In the FIR, only allegations against applicant is that when informant called main accused and asked for return of their money, main accused and his sister (applicant) stated that, if they ask for return of money or if take any legal action against them, then they will be implicated in false kidnapping case and there life will be ruined.

5. Perusal of the investigation papers, *prima facie*, do not make out any active involvement in the present crime. Considering the gender of applicant and as the investigation appears to be on the verge of completion, and since nothing is to be recovered from applicant, her pre-trial custodial detention is not necessary.

6. Application is therefore allowed by confirming interim protection granted to applicant on 12.01.2024.

7. Till filing of the charge-sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE