



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 306 OF 2024

Pooja D/o Shashikant @ Baban Deshbhratar
And Another

....Applicants

VERSUS

The State Of Maharashtra

.....Respondent

.....

Mr. S.E. Shekade, Advocate for applicants.

Mr. C.V. Bhadane, APP for respondent.

Mr. D.B. Pokale, Advocate for assist to APP.

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 21st MARCH, 2024

ORDER :

1. Applicants seek bail in C.R. No. 19/2024, registered with Beed (City) Police Station, for offences punishable under sections 364A, 143, 323, 504, 506 of Indian Penal Code.

2. FIR is lodged by Gajanan Gharat alleging that he and his brother-in-law Suresh Kute is doing business by name "Tirumala Oil" and also running a credit society by name "Dnyanradha Multi-State Credit Society Limited, Beed". According to him, Shivaji Baburao Gharat is his real brother and Archana Suresh Kute i.e. wife of Suresh Kute is his sister. Income Tax department effected a raid on the establishments of

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Suresh Kute and therefore there was unrest in the mind of depositors of Dnyanradha Multi State Credit Society. Therefore, various depositors suddenly withdrew their deposits from said society and therefore said society came in danger. According to him, accused Pooja Deshbhratar is pretending herself as advocate of Supreme Court and having her office at Karkardooma Court, Delhi and Tis Hazari Court, New Delhi and she is pretending herself as junior advocate of Shri. Mumahid Afjalkhan. It is alleged that said Pooja Deshbhratar approached Suresh Kute and Archana Kute and told them that various depositors from Beed have approached her senior advocate and requested to file application in Supreme Court and she and her senior advocate are going to file cases in Supreme Court against Dnyanradha Multi-State Credit Society Limited. She then threatened them by saying that if they wish that she should not file cases against them, then they have to pay ransom of Rs. 5 Crores otherwise they will instigate the people to file cases against them. Accordingly, on 16.01.2024 and 17.01.2024, Pooja Deshbhratar by blackmailing Suresh Kute accepted Rs. 1 Lakh ransom from him. Thereafter, accused Pooja Deshbhratar and her senior advocate have started threatening Suresh Kute and Archana Kute for ransom. According to informant, his brother

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Shivaji Gharat too had discussion with accused Pooja Deshbhratar and also met her at Hotel Yashraj Inn, Jalna Road, Beed at about 12.30 pm, on 25.01.2024. At that time, accused Pooja Deshbhratar and her other associates were present there and they started demanding ransom of Rs. 5 Crore from Shivaji. Thereafter, accused started abusing and assaulting one Ashok Lande and drove him out of the hotel and kidnapped Shivaji Gharat. Thereafter, from the mobile phone of Shivaji Gharat accused Pooja Deshbhratar and her associates called Archana and demanded ransom of Rs. 5 Crore and threatened to kill Shivaji by pouring kerosene on him. Thereafter, they prepared video of assault to Shivaji Gharat and sent said video to Archana Kute and abused Archana in filthy language.

3. Heard learned advocate for applicants, learned APP for respondent and learned advocate assisting learned APP. Perused the investigation papers.

4. After arguing on merits at length, when this Court was not inclined to grant relief to applicant No. 2, learned advocate for applicants, on instructions, seeks permission to withdraw application of applicant No. 2- Vikram Shriram Dongare. Permission granted. Application of Applicant No. 2-

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Vikram Shriram Dongare is dismissed as withdrawn, with liberty to apply after six months.

5. Perusal of investigation papers, *prima facie*, reveal active involvement of applicant No. 1 in the present crime. Considering the fact that she is arrested on 26.01.2024 and she is in custody since last almost two months and considering her gender, even under section 437 of Cr.P.C she is entitled to be released on bail.

6. Investigation is still going on and charge sheet is not likely to be filed in near future. Therefore, trial is not likely to commence in near future. Applicant cannot be detained in jail for indefinite period. Applicant has five years old child. She is permanent resident of Nagpur and has movable and immovable properties. She is not likely to abscond, if released on bail. She will be available for trial. In the result, following order:

ORDER

- (i) Bail Application No. 306 of 2024 is allowed.
- (ii) Applicant- Pooja Shashikant alias Baban Deshbhratar be released on bail in connection with C.R. No. 19/2024, registered with Beed (City) Police Station, for offences punishable under sections 364A, 143, 323,

504, 506 of Indian Penal Code, on executing Personal Bond and Surety Bond of Rs. 50,000/- with one surety in the like amount.

- (iii) Till filing of charge sheet, applicant to report to police station at Nagpur, which is nearer to her residence, on every Sunday, between 10.00 am to 12.00 noon.
- (iv) Applicant to give her residential address and cell phone number to investigating officer.
- (v) Applicant shall surrender her passport with the investigating officer and shall not leave India without prior permission of Trial Court.
- (vi) Applicant shall attend the trial as and when it commences.
- (vii) Applicant shall not enter Beed district, until further orders, except for attending the trial.
- (viii) Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]