IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1649 OF 2024

Vedika Vijay Parte	…	Applicant
Vs.		
State of Maharashtra	…	Respondent

Mr. Kalpesh U. Patil for Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : JUNE 25, 2024

<u>P.C.</u> :

. Heard Mr. Patil, learned counsel for the applicant and Mr.Sonavane, learned APP for the respondent-State.

2. The applicant, who is one of the accused persons, apprehends arrest in connection with FIR No.0073 of 2024 dated 27.02.2024 registered at Kankavli Police Station, District - Sindhudurg for the offences under Sections 406, 420 read with Section 34 of the Indian Penal Code (IPC). The husband of the applicant is accused No.1 and there is one more accused person in the said FIR.

3. The statement of the informant, who is a senior citizen aged about 75 years and a doctor, is that the accused No.3 introduced the informant to the applicant and her husband i.e. accused No.1, as directors of Investamatic Matters Advisory Private Limited, a company which could guide the informant in proper investment so that attractive returns could be received. According to the informant, he and his wife engaged the services of the said company of which the applicant and her husband are the directors and invested huge amounts, with the expectation of

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attractive returns as promised by the accused persons. But, subsequently, it was realized that the amounts given to the accused persons were not invested and instead they were utilized by the accused applicant and her husband for their own purposes. It is also alleged that the *app*, used for the said purpose, was also fake. On this basis, the aforementioned FIR was registered.

4. According to the learned counsel for the applicant, specific role is not attributed to the applicant and the tenor of the statement of the informant indicates the involvement of the accused No.1 i.e. the husband of the applicant. It is also submitted that the accused No.3 was the person responsible for the alleged fake *app* and that the applicant had nothing to do with the same. It is submitted that since the applicant has to look after her 16 years old daughter and her mother-in-law, this Court may take a sympathetic view in the matter and impose certain conditions for granting protection from arrest.

5. On the other hand, the learned APP opposed the prayer made in the present application. He highlighted the role attributed to the applicant in the statement leading to registration of the FIR. It is submitted that the applicant was actively involved in luring innocent investors like the informant and his wife. It is further brought to the notice of this Court that the applicant along with her husband i.e. accused No.1 have been duping innocent investors in District Sindhudurg and as per the information presently available, such innocent investors have been defrauded to the extent of Rs.1.48 crores.

6. This Court has considered the rival submissions. The statement of the informant leading to registration of the FIR is elaborate. The informant has given details as to the manner in which he and his wife were introduced to the applicant and her husband as directors of the said company. A perusal of the statement shows that at various places,

specific role is indeed attributed to the applicant in luring the informant and his wife into investing about Rs.32 lakhs with the promise of attractive returns. It is specifically alleged that when the accused No.1 started avoiding the informant, he and his wife confronted the applicant and eventually, it was conceded that they had not invested the amount of the informant and his wife and instead, the accused had used it for themselves. It was also conceded that the *app* used for such transactions was fake. These are serious allegations and this does not appear to be a case where the applicant, being merely the wife of accused No.1, was a sleeping partner or a non-active director in the said company. Her role is specifically stated by the informant.

7. Apart from this, the information brought to the notice of this Court that there are other aggrieved innocent investors in District Sindhudurg, who claim to be duped by the applicant and her husband, is a relevant factor in the present case.

8. No case is made out for grant of anticipatory bail. The application is dismissed.

(MANISH PITALE, J.)

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