

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

ANTICIPATORY BAIL APPLICATION NO. 2839 OF 2023

Sujata Nandkumar Ingale ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Sandesh D. Patil i/b. Prithviraj Sanjay Gole, Advocate for the Applicant.

Mr. A.A. Naik, APP for the Respondent – State.

CORAM : N. J. JAMADAR, J.
DATE : 22nd JULY 2024.

PC.:

1. Heard learned counsel for the Applicant and learned APP for the State.
2. This is an application for pre-arrest bail in connection with C.R. No.419 of 2023, registered with Sangli City Police Station for the offences punishable under Sections 406 and 420 of the Indian Penal Code, 1860 (“the Penal Code”).
3. By an order dated 10th October 2023, interim protection was granted to the Applicant.
4. The learned counsel for the Applicant, on instructions,

submits that the Applicant has deposited the amount as undertaken and has also appeared before the Investigating Officer as directed. While granting interim bail, this Court had also observed, *inter-alia*, as under :-

- “3) The first informant lodged a report with the allegations that the applicant and the co-accused induced the first informant to invest an amount of Rs.33,00,000/- with Sahyadri Traders and Developers LLP., by making a representation of lucrative returns. Initially, the first informant was paid a certain amount to repose confidence in the accused. Later on, however, the accused committed default in repayment of the amount along with returns, as promised. A sum of Rs.5,97,000/- only was paid. The co-accused – Manoj Patil had delivered four cheques. However, the account on which those cheques were drawn had no balance to honour those cheques. The first informant thus lodged the report, also alleging that another investor Bajarang Patil was duped in an identical fashion.
- 4) The learned Counsel for the applicant submitted that only a sum of Rs.13,00,000/- was credited to the account of the applicant, which the applicant, in turn, had transferred to the account of Sahyadri LLP. It was co-accused Manoj Patil and Sachin Yadav, who had undertaken the liability to repay the amount of the investors. Nonetheless, to show her bonafide, the applicant is willing to deposit a sum of Rs.13,00,000/-

without prejudice to the rights and contentions of the applicant.

- 5) In view of the aforesaid statement, and the question as to whether the applicant also had a dishonest intention since the inception of the transaction warrants adjudication, I am inclined to protect the liberty of the applicant while directing her to join in the investigation.”

5. It appears that the Applicant has deposited the amount of Rs.13,00,000/- (Rupees Thirteen Lakhs Only) as undertaken. The Applicant is a woman. The offences under Sections 406 and 420 entail punishment which may extend to 7 years.

6. In the backdrop of the nature of the accusation and the developments in the intervening period, further custodial interrogation of the Applicant does not seem warranted to facilitate further investigation. I am, therefore, inclined to make the order of interim bail absolute on the terms and conditions incorporated therein.

Hence, the following order:-

ORDER

- (i) The order of interim bail dated 10th October 2023 is

made absolute on the terms and conditions incorporated therein.

(ii) In addition, the Applicant shall appear before the Investigating Officer as and when directed.

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

(iv) Application disposed.

(N. J. JAMADAR, J.)