

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3132 OF 2024**

1. Housabai Maruti Patil		
2. Megha Vaibhav Patil	...	Applicants
vs.		
The State of Maharashtra	...	Respondent

Mr. Satyavrat Joshi a/w. Ms. Reena Prajapati for applicant.

Mr. Sagar R. Agarkar, APP for respondent-State.

Mr. Vishal Patole, API, Juna Rajwada Police Station, District Kolhapur.

**CORAM : MANISH PITALE, J.
DATE : 26th NOVEMBER, 2024**

P.C. :

1. Heard learned counsel for the applicants and the learned APP for the respondent-State.

2. The applicants are apprehending arrest in connection with FIR No.0626 of 2024 dated 10.10.2024, registered at Juna Rajwada Police Station, District Kolhapur, for offences under Sections 406, 420 and 506 read with Section 34 of the Indian Penal Code, 1860 (IPC) and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999. This Court is informed that subsequently, offence under Section 409 of the IPC is also added.

3. The informant, in his statement leading to registration of FIR, has stated in detail as to the manner in which the accused persons induced and

allured him into parting with substantial amount of money on the false promise of handsome returns. It was when the informant came to know that he had been duped, that he caused the FIR to be registered.

4. The learned counsel for the applicant submitted that this Court may consider granting anticipatory bail, for the reason that both the applicants are women, one of whom is aged about 61 years. It is further submitted that applicant No.1 is the mother of co-accused and applicant No.2 is his wife. It is indicated that the thrust of the allegations are against the main accused persons, who were partners of an entity, in whose account, the informant had deposited the amount. It is further submitted that specific allegation levelled against the applicants about having received huge cash amount of ₹ 50 lakhs is unbelievable, in the light of the fact that all the other amounts were deposited in the account of the said entity. It is submitted that the applicants are ready to co-operate with the investigation.

5. On the other hand, the learned APP opposed the present application. It is submitted that specific allegations have been levelled against the applicants, which are corroborated by the statements of the witnesses, recorded during the course of investigation. It is submitted that the main accused persons are absconding and no case is made out for granting relief to the applicants.

6. This Court has perused the statement of the informant, leading to registration of FIR. Apart from the allegations made against the co-accused persons, it is to be noted that the informant has specifically alleged that when he visited the house of co-accused persons, the applicants, being his mother and wife, assured the informant that if he invests in the business of

the said entity, he would get substantial returns on the amounts being invested. A specific date is given on which the aforesaid interaction happened and the informant handed over amount of ₹ 50 lakhs with the assurance of monthly returns of ₹ 9 lakhs by the applicants herein. It is to be noted that the informant stated names of two persons in whose presence such amount was handed over to the applicants.

7. During the course of investigation, statements of the said two persons were recorded. They have corroborated the version of the informant, including the allegation regarding inducement and allurement given by the applicant.

8. In view of the specific allegations against the applicants, this Court is not inclined to consider the prayer for anticipatory bail.

9. Hence, the application is dismissed.

(MANISH PITALE, J)

Priya Kambli