

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

ANTICIPATORY BAIL APPLICATION NO. 363 OF 2024

Pragati Vikas Solankure.

..Applicant

Versus

The State of Maharashtra

..Respondents

WITH

ANTICIPATORY BAIL APPLICATION NO. 366 OF 2024

Pranali Chetan Mohire.

..Applicant

Versus

The State of Maharashtra

..Respondents

Mr. Kedar J. Patil i/b. Mr Pratik G. Tare, for Applicants.

Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM :SARANG V. KOTWAL, J.

DATE : 19th APRIL, 2024

P.C. :

1. In both the applications, a common order is passed because they have arisen out of the same registered offence. The applicants are sisters. They are seeking anticipatory bail in C.R. No. 304 of 2023 dated 30th August, 2023 registered at Ichalkaranji Police Station under section 420, 120B, 406, 409, 506 read with y.s.patil

Section 34 of the Indian Penal Code and under section 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

2. The FIR is lodged by Pandharinath Mahajan . He has stated that the accused Venkatesh approached him and brought both these applicants and one Chetan to meet the informant. These accused discussed a scheme of investment in Crypto currency by the name Global Digital Cluster Coin. They represented that if the informant invested in that Crypto currency he would get double the amount invested within one year. He was told that value of one coin at that time was Rs. 3300/- and it was expected to rise to Rs. 1,00,000/- at the time of launching of that currency. The expected day for launching of that currency was 22nd December, 2022. It is alleged that these 4 accused insisted he should invest in this scheme. He was asked to attend seminars. The informant invested Rs. 24,74,905/- and on his recommendation his friends invested Rs. 12,60,000/-. Thus the total investment was Rs. 37,30,905/-. It is mentioned in the FIR, that, subsequently when the Crypto currency was launched, the price of the coin was

Rs. 1200/-. It was much lesser than the promised Rs. 100000/-. the investors could not withdraw their amount. Thus the informant and the others lost their investments. On this basis, the FIR is lodged. Investigation was carried out. Some of the accused were arrested and the charge sheet was filed in respect of those accused.

3. At the time of filing of the charge sheet, total amount involved in the offence was found to be Rs. 12,39,81,858/-. Learned APP on instructions stated that, so far the investigation has revealed that, there were 52 victims and the amount involved was Rs. 19,21,00,000/-

4. Learned counsel for the Applicants submitted that the entire scheme was developed by the other accused including the husband of the Applicant Pranali. These Applicants have not played any active part in initiating that scheme. They have not made any representations to any of the investors. They have received a very small amount personally. The Applicant Pranali has a small child about one year old.

5. According to the learned APP the total amount received by both of them was Rs. 23,01,300/-.

6. On the earlier occasion, vide order dated 29/02/2024, this Court had granted ad-interim protection to the Applicants. At that time, learned APP had mentioned the said figure and had submitted that the Applicants can deposit that amount to show their bonafides. Accordingly, vide the same order the Applicants were permitted to deposit Rs. 23,00,000/- in the Court of Additional Sessions Judge, Ichalkaranji, within four weeks from that date.

7. Today, learned counsel for the Applicants submitted that the Applicants have deposited said amount in that Court. He has produced a copy of the receipt. It is taken on record and marked as "X" for identification. Learned APP does not dispute this fact. He, on instructions, accepts that the applicants have co-operated with the investigation. In this case, the charge sheet against the other accused is already filed. In this view of the

matter custodial interrogation of the Applicants is not necessary. Both of them are ladies. The Applicant Pranali is having one year old child. This is an additional aspect in her favour for considering grant of protection. In this view of the matter, both the Applications can be allowed. Hence the following order.

ORDER

- (i) In the event of their arrest in connection with No. 304 of 2023 dated 30th August, 2023 registered at Ichalkaranji Police Station, the Applicants are directed to be released on bail on their executing P.R. bond in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) The amount deposited by the Applicants shall be invested by the said Court in the fixed term deposit to be renewed from time to time and it shall be subject to further orders by the trial Court at the appropriate stage.
- (iii) Both the Applications are disposed of accordingly.

(SARANG V. KOTWAL, J.)