

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

**BAIL APPLICATION NO. 809 OF 2024**

|                                 |     |            |
|---------------------------------|-----|------------|
| Seema @ Reshma Arif Shirgaonkar | ... | Applicant  |
| Versus                          |     |            |
| The State of Maharashtra        | ... | Respondent |

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Mr. Shreesat Kamath a/w Puja Yadav for the Applicant.  
Mr. Tanveer Khan, APP for Respondent-State.  
Mr. Hatim, PSI, Shivajinagar Police Station, Mumbai.

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**CORAM: MANISH PITALE, J.**  
**DATE : 10<sup>th</sup> JULY 2024**

**P.C. :**

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

2. The principal submission made on behalf of the applicant is that in the present case, even if the entire material relied upon by the Investigating Authority is to be accepted, there is no link established between the alleged offence and the applicant before this Court. Reference is made to *Nivedan Panchanamas* of accused Nos.2 and 3, as also statement of a godown supervisor and statements of persons concerned with offices of couriers in Gujarat and Mumbai, to emphasize that other than mentioning a mobile number which allegedly belonged to the applicant, in the statements of the persons concerned with the courier offices as being used when cash amounts were transferred, there is nothing

to indicate as to how the Investigating Authority reached the offices of the said courier.

3. *Prima facie*, even this Court is unable to understand the material linking the applicant with the alleged offence. Merely because accused No.1 is the brother and accused No.3 is the nephew of the applicant, it cannot be *ipso facto* concluded that the applicant is involved in the present case. In that context, when the Investigating Authority is invoking Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS), further material needs to be brought to the notice of this Court, failing which this Court would be inclined to grant relief to the applicant.

4. The learned APP seeks further time to apprise this Court about the material linking the applicant to the offence in question.

5. As a matter of last chance, the application is adjourned to 18<sup>th</sup> July 2024. To be listed in the supplementary board.

**MANISH PITALE, J.**