

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

CRIMINAL BAIL APPLICATION NO. 4033 OF 2024

Anagha Jayesh Natu ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Hrishikesh Giri with Mr. S. R. Chopade i/b A. N. Dange,
Advocate for Applicant.

Mrs. S. M. Yadav , APP for State-Respondent.

Mr. A. Shirodkar Advocate for Complainant/Respondent No. 2.

CORAM:- ANIL S. KILOR, J.

DATED:- 11th NOVEMBER, 2024

PC:-

- 1) Leave is granted to add complainant as party respondent No. 2.
- 2) Necessary amendment be carried out forthwith.
- 3) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 722 of 2024, registered with Shivaji Nagar Police Station, Kolhapur for the offences punishable under Sections 316(2), 316(5), 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2) read with Section 3(5) of Bhartiya Nyaya Sanhita, 2024.

4) The allegations are of cheating. The applicant has been implicated in the present offence on the ground that she is the partner in the firm, who had cheated the investors. In the present matter, the charge-sheet has been filed and all the relevant records has been seized and also the bank account has been frizzed by the Investigating Officer. Moreover, the husband of the applicant was the Power of Attorney holder of the applicant and also the partner in the firm along with the applicant who did all the transactions on his own behalf and as well as on behalf of the applicant. The applicant is the wife of the main accused. The main accused has shown willingness to pay Rs.50,00,000/- to the informant out of which Rs.5,00,000/- cash has already been paid.

5) In the above-referred backdrop, though the learned APP is strongly opposing the application, considering the role of the applicant and particularly the evidence collected by the Investigating Officer from which it is evident that none of the witnesses have attributed any role of the applicant or made any allegation about inducement against the applicant, I am of the opinion that the applicant's further custody is not required in the present matter. Accordingly, the application is allowed.

6) Affidavit of informant is taken on record and marked as Article 'X' for the purpose of identification. In the circumstances, I pass the following order.

ORDER

- i The Bail Application is allowed;
- ii It is directed that the Applicant shall be released on bail in Crime No. 722 of 2024, registered with Shivaji Nagar Police Station, Kolhapur for the offences punishable under Sections 316(2), 316(5), 318(2), 318(4), 319(2), 336(2), 336(3), 338,

340(2) read with Section 3(5) of Bhartiya Nyaya Sanhita, 2024, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am, till the conclusion of the trial except on the date of trial;

iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]