

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 19 OF 2024

Anita Kiran Shiledar ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Pratik Kalantri, for the Applicant.
Ms. P. P. Bhosale, A.P.P. for the Respondent – State.

CORAM : MADHAV J. JAMDAR, J.

DATED : 2nd DECEMBER, 2024

PC:-

1. A learned Single Judge by order dated 8th January 2024 issued notice to the added Respondent No.2. Accordingly, added Respondent No.2 has been served.
2. This is an anticipatory bail application filed under Section 438 of Code of Criminal Procedure, 1973.
3. Learned Counsel appearing for the Applicant points out the pursis dated 11.04.2023 (Page Nos.116-118) filed in the Court of Sessions Judge, Nashik in Regular Criminal Case No.246 of 2022. The pursis states that the principal amount involved in the crime of

Rs.9,00,000/- has been voluntarily paid by the present applicant and her husband to the informant.

4. Perusal of record shows that the applicant, who is apprehending arrest in connection with C.R. No.57 of 2020 registered at Upnagar Police Station, Nashik Road, Nashik for offences punishable under Sections 420, 406, 468, 504, 506(2) and 201 of the Indian Penal Code has been granted anticipatory bail by a learned Single Judge by order dated 08th January 2024 and the said protection has been continued from time to time.

5. Perusal of the record further shows that although the crime is registered against six persons, the Investigating Officer after investigation, filed charge-sheet only against three persons i.e. accused No.1- husband of the present Applicant, Accused No.2 – present Applicant and Accused No.3 – son of the present Applicant. The record also shows that the investigation is completed and the charge-sheet is filed against the accused including the present applicant on 28th June 2022. Mr. Kalantri, learned counsel for the applicant states that thereafter, supplementary charge-sheet has also been filed against the accused including present applicant. Thus, the investigation is completed.

6. The applicant is a lady of 49 years. In the FIR main allegations are made against the accused No.1, who is the husband of Applicant. Accordingly, the case is made out for granting anticipatory bail. Hence the following order :-

ORDER

- (a) In the event of arrest, in connection with C.R. No.57 of 2020 registered with Upnagar Police Station, Nashik Road, Nashik for offences punishable under Sections 420, 406, 468, 504, 506(2) and 201 of the Indian Penal Code, the applicant - Anita Kiran Shiledar be released on bail on executing P. R. Bond of Rs.30,000/- with one or two sureties in the like amount.
- (b) The Applicant shall report to the Investigation Officer as and when necessary.
- (c) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted

with the facts of the case, so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

7. Mr. Kalantri, learned counsel points out that the learned trial Court has issued non-bailable warrant against the Applicant which has already been stayed by the learned Single Judge by order dated 8th January 2024. In view of the granting of anticipatory bail to the applicant by this order the said non-bailable warrant issued by the learned J.M.F.C. Nashik Road in R.C.C. No.246 of 2022 in connection with C.R. No.57 of 2020 registered at Upnagar Police Station, Nashik road, Nashik is quashed and set aside.

8. Anticipatory Bail Application is disposed of accordingly.

9. It is clarified that the trial Court shall decide the case on its merits, uninfluenced by the *prima facie* observations made in this order.

[MADHAV J. JAMDAR, J.]