

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

Anticipatory Bail Application No.1343 of 2024

Mrs. Rajashree @ Prachi Pradip Chaudhari
Age: 47 Years, Occ. - Service,
R/at – Bhalchandra Co-Operative Society,
Room No.401, Near Dhanwantari Hospital,
Narhar Vasahat, Shivaji Nagar, Ratnagiri ... Applicant

versus

The State of Maharashtra ... Respondent

Mr Chaitanya Mulawkar, for the applicant.
Mr CD Mali, APP, for the respondent/ State.
API DH Kharat, Rabale Police Station, is present.

**Coram: R.N. Laddha, J.
Date: 12 July 2024**

P.C. :

Heard Mr Chaitanya Mulawkar, the learned Counsel appearing on behalf of the applicant, and Mr CD Mali, the learned Additional Public Prosecutor representing the respondent/ State.

2. By the present application, the applicant seeks pre-arrest bail in connection with CR No.55 of 2024, registered at Rabale Police Station, Navi Mumbai, for offences punishable under Sections 170, 406, 420, 506 read with 34 of the Indian Penal Code.

3. It is the case of the prosecution that the applicant, along with co-accused Sanjay Zombade and Jagdish Deshmukh, induced the informant to pay Rs.20,00,000/- by falsely promising jobs for the informant's son and son-in-law in ONGC.

4. Mr Chaitanya Mulawkar, the learned Counsel appearing on behalf of the applicant, submits that that the applicant and the informant are sisters. The applicant is not a beneficiary of the alleged sum. The only role attributed to the applicant is introducing the co-accused to the informant. Additionally, the applicant has already returned Rs.3,70,000/- received from the co-accused, Jagdish Deshmukh, to the informant. The co-accused, Jagdish Deshmukh, has acknowledged the entire liability and provided a cheque to the informant.

5. Mr CD Mali, the learned Additional Public Prosecutor representing the respondent/ State, submits that the applicant convinced the informant that the co-accused, Jagdish, was working in ONGC, and they colluded to obtain a huge amount from the informant. If the applicant is granted bail, she may tamper with the evidence or influence the witnesses.

6. After reviewing the records, it becomes evident that the alleged incident occurred in 2021. However, there was a significant delay of three years before the FIR was finally lodged

in 2024. The co-accused, Jagdish Deshmukh, acknowledged responsibility for repaying the amount. He did so by executing an agreement and issuing a cheque in favour of the informant. However, when the cheque was presented for encashment, it was dishonoured. Additionally, it appears that the applicant herself accompanied the informant to the co-accused's residence to demand the money. Furthermore, the co-accused transferred some funds into the applicant's account, which she subsequently returned to the informant. It appears that the applicant has cooperated with the investigation and attended the police station, where her statement was recorded.

7. In this backdrop, the custodial interrogation of the applicant is not warranted. The prosecution's apprehension about tampering with the evidence and influencing the witnesses can be addressed by imposing appropriate conditions. Accordingly, the application is allowed in the following terms:

- (i) In the event of the applicant's arrest in CR No.55 of 2024, registered at Rabale Police Station, Navi Mumbai, she be released on bail on executing a PR bond of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant, herself or through any

other person, shall not indulge in any activity that would tamper with the evidence or influence the witnesses.

8. It is made clear that the above observations are *prima facie* in nature and made only to decide the present application.

(R.N. Laddha, J.)