

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1620 OF 2024**

Karishma Kishore

Aged about 31 years, Occ: Business

Residing at House No.36,

Staff bank Colony, Ratu Road,

Piska More Hehal Ranchi

Jharkhand- 834005.

... Applicant

v/s.

State of Maharashtra

(At the instance of Dr DB Marg

Police Station, Mumbai)

... Respondent

Mr Vishal Shukla, a/w. Mr Anurag Mishra, for the Applicant.

Mr Avinash A Naik, APP, for Respondent State.

API Shivprasad Dhumal, DB Marg Police Station is present.

Coram : R.N. Laddha, J.

Date : 20 June 2024

P.C. :

. Heard Mr Vishal Shukla, the learned Counsel, appearing on behalf of the applicant, and Mr Avinash Naik, the learned Additional Public Prosecutor, representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.283 of 2024, registered at DB Marg Police Station, Mumbai, for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

3. The applicant is accused of inducing the first informant to part with Rs.3,50,000/- to produce a music album on the false

pretext of returning this sum with a profit of Rs.40,000/-. When Rs.3,90,000/- were not repaid by the applicant, the first informant initiated criminal action by lodging the aforesaid FIR.

4. Mr Vishal Shukla, the learned Counsel representing the applicant, argues that, as the first informant was interested in producing a music video and short movies, he, along with his wife, incorporated a company in the name and style of 'Khush Production Private Limited'. The first informant agreed to sponsor the applicant's music video to promote this company. The learned Counsel contends that the applicant has never promised to pay any sums to the first informant, and the letterhead relied upon by the first informant is fabricated. He submits that the applicant is innocent, and the transaction is given a criminal colour to falsely implicate the applicant in the crime. The applicant is ready to cooperate and attend the concerned police station.

5. Mr Avinash Naik, the learned Additional Public Prosecutor, submits that the applicant has not attended the police station despite receiving a notice under Section 41A of the Code of Criminal Procedure, 1973. The investigation is ongoing, and the applicant's custody is necessary. The learned APP, on instructions, further submits that if the applicant is willing to cooperate with the investigation and attend the police station, the respondent has

no objection to the grant of anticipatory bail to the applicant.

6. Upon perusing the record, it transpires that the case hinges on documentary evidence, and the investigating officer has recovered the applicant's alleged letterhead. The dispute appears to be of a civil nature. Moreover, the learned APP concedes to the grant of anticipatory bail to the applicant subject to her attending the police station. In these circumstances, this Court is inclined to allow the present application on the following terms:

- (i) In the event of the applicant's arrest in CR No.283 of 2024, registered at DB Marg Police Station, Mumbai, the applicant shall be released on bail upon furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned Police Station from 22 June 2024 to 24 June 2024 between 11 a.m. and 2 p.m. and cooperate with the investigating officer.
- (iii) The applicant shall not, herself or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.

7. The present application stands disposed of accordingly.

(R.N. LADDHA, J.)