

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

Anticipatory Bail Application No.1775 of 2024

Reshma Sachin Chikalkar

Age 40, Occu: service

Res. Flat No.5214, Building No-186,

Pant Nagar, Near Shankar Market,

Ghatkopar East, Mumbai Suburban,

Mumbai - 400 075.

... Applicant.

Vs.

The State of Maharashtra

(Through Sr. Inspector Vikhroli

Police Station)

... Respondent.

Mr Ravi Dwivedi a/w. Anupama Dwivedi and Sainath Baji, for the applicant.

Ms Rajeshree Newton, APP, for the respondent/ State.

API Pramod Kadam, Vikhroli Police Station, is present.

Coram: RN Laddha, J.

Date: 9 July 2024.

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.130 of 2024, registered at Vikhroli Police Station, Mumbai, for offences punishable under Sections 420, 465, 468 and 471 read with 34 of the Indian Penal Code.

2. According to the prosecution, the applicant and the co-accused misappropriated Rs.15,20,000/- by promising a job in the railways for the informant's wife.

3. Mr Ravi Dwivedi, the learned Counsel, appearing on behalf

of the applicant, asserts the applicant's innocence. He submits that except the fact that the applicant is the wife of co-accused, Sachin, against whom the allegations of accepting the huge amount on the pretext of giving a job to the informant's wife, nothing is on record to link the applicant with the alleged crime. Further, the applicant was neither present in the meetings with the informant nor received the money. The applicant's husband has been arrested in Myanmar. The learned Counsel submits that the applicant has cooperated with the investigating officer and attended the police station.

4. Conversely, Ms Rajeshree Newton, the learned Additional Public Prosecutor representing the respondent/ State, submits that the offence is serious. The applicant, who has criminal antecedents, received Rs.10 lakhs in cash from the informant. If the applicant is granted bail, she may tamper with the evidence or influence the witnesses. The learned APP, however, concedes that the applicant has cooperated with the investigation and attended the Police Station.

5. After examining the records, it appears that the applicant neither assured nor promised the informant to secure a job for the informant's wife. Further, the applicant was never accompanied her husband, the co-accused, in the meetings with the informant. The sole allegation against the applicant is that she accepted Rs.10 lakhs from the informant. However, there is

nothing on record to substantiate this allegation, including the details indicating the date and time of the demand and acceptance. Moreover, the learned APP acknowledges that the applicant has cooperated with the investigation and attended the Police Station. The prosecution's apprehension about tampering with the evidence or influencing the witnesses can be addressed by imposing appropriate conditions. In the facts and circumstances of the present case, the application is allowed in the following terms:

- (i) In the event the applicant is arrested in connection with CR No.130 of 2024, registered at Vikhroli Police Station, Mumbai, she be released on bail upon executing 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 as and when required.
- (iii) The applicant shall not, by herself or any other persons, tamper with the evidence or influence any witnesses.

6. The present application stands disposed of accordingly.

[RN Laddha, J.]