

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

ANTICIPATORY BAIL APPLICATION NO. 2058 OF 2024

Loveneet Narinder Pal Singh Kaur	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Abhishek Yende a/w Shubham Kahite for the Applicant.
Mr. Prasanna P. Malshe, APP for Respondent-State.
Mr. Vijay Bansude, PSI, MIDC Police Station, Solapur.

**CORAM: MANISH PITALE, J.
DATE : 13th AUGUST 2024**

P.C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0302 of 2024 dated 18th May 2024 registered at MIDC Police Station, Dist. Solapur, for offences punishable under Sections 420 and 506 of the Indian Penal Code, 1860 (IPC).

3. According to the informant, he came across the applicant/accused on the social media platform i.e. *Instagram*, wherein the applicant allegedly portrayed herself as an expert in investing in the share market. She allegedly promised the informant that amounts invested by him through her, would be doubled and therefore, the informant was induced into transferring certain

amounts into the bank account of the applicant. He allegedly gave cash amounts also to the applicant. But, since the amounts were not returned and the applicant started avoiding the informant, he was constrained to approach the Police.

4. The learned counsel for the applicant submits that the story with which the informant has approached the Police, is imaginary and that the applicant, in fact, works in a bar, which the informant used to frequent. Payments were made for the services provided and that is why certain amounts are reflected in the account of the applicant, as having been transferred by the informant and his friends. It is submitted that the applicant is a woman and she is ready to cooperate with the investigation. Although, she is originally from Punjab, she is having a leave and license agreement, under which she can retain the premises till February 2025.

5. On the other hand, the learned APP invited attention of this Court to the statements of three witnesses recording during the course of investigation. They have corroborated the version of the informant that the applicant had induced the informant and others into parting with huge sums of money on the false promise of handsome returns. It is stated that by the said witnesses that the applicant did portray herself as an expert in share market investments.

6. Having heard the learned counsel for the applicant and

learned APP for the respondent-State, this Court is inclined to allow the present application on the following reasons :

- (a) Even according to the informant, the period during which he was induced by the applicant to invest amounts in cash, as well as through transfer in bank account, was from 9th November 2023 till 14th January 2024. But, the FIR having been registered on 18th May 2024, *prima facie*, appears to be belated.
- (b) The informant, even as per the FIR, is said to be a person in business. As per the statements made before this Court, it appears that he is into the business of garments. For a person, who has his own business, *prima facie*, it appears difficult to understand how such a person could be induced into investing such huge amounts and that too by cash on a promise by a person (applicant) with whom acquaintance was only through *Instagram*.
- (c) The statements of the witness, upon which the learned APP has placed reliance, are identical and they merely parrot what allegations the informant has made in his statement, which led to registration of the FIR.
- (d) The applicant has placed on record certain *WhatsApp* chats that allegedly took place between the informant and owner of the bar, where the applicant is working.

Although, it is too early in the investigation to form an opinion either way on the *WhatsApp* chats, *prima facie*, it appears that payments made to the applicant can be relatable to services that the applicant provided to the informant and others in the context of her job, as a lady working in the aforesaid bar.

(e) Even the Sessions Court has taken note of the fact that the amounts transferred into the account of the applicant are somewhere in the range of Rs.1,83,000/-. The applicant herself, through her counsel, has candidly placed the statement of her bank account for perusal of this Court.

(f) Last but not the least, the applicant is a woman.

7. For the aforesaid reasons, this Court is inclined to allow the application, so long as the applicant is ready to cooperate with the investigation.

8. In view of the above, the application is allowed in the following terms :

(a) In the event the applicant is arrested in connection with FIR No. 0302 of 2024 dated 18th May 2024 registered at MIDC Police Station, Dist. Solapur, she shall be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount

to the satisfaction of the trial Court.

(b) The applicant shall remain present before the Investigating Officer on 16th August 2024 and 17th August 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. She shall not influence the informant, witnesses or any other person concerned with the case.

9. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application.

10. The application is disposed of.

MANISH PITALE, J.