

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

Anticipatory Bail Application No.2285 of 2024

Manjusha Saket Sawant
Maiden Name:
Manjusha Santosh Pawar
Age -32 yrs, Occ: Doctor
R/a B Wing, 105, Phase 1,
Mohan Palms road, Shirgaon,
Badlapur, Dist-Thane-421 503.

...Applicant.

Vs.

The State of Maharashtra
(at the instance of
Kurar Police Station, Mumbai)

...Respondent.

Mr Sundeep Singh, for the applicant.
Mr Arfan Sait, APP, for respondent/State.
Mr Vijendra Kumar Rai, for the Intervenor.
API Satish Wayal, Kurar Police Station, is present.

**Coram: R.N. Laddha, J.
Date: 14 August 2024.**

P.C.:

The applicant, who apprehends arrest in CR No.594 of 2023, registered at Kurar Village Police Station, Mumbai, for offences punishable under Sections 406, 420, and 467, read with 34 of the Indian Penal Code, has filed the present application seeking bail in anticipation of arrest.

2. The informant's grievance against the applicant pertains to the applicant and the co-accused releasing the web series, 'Secrets

of Gavaskar', produced by the applicant on OTT platforms without paying the sale consideration of Rs.82 lakhs and the profits gained from it.

3. Mr Sundeep Singh, the learned Counsel appearing on behalf of the applicant, contends that the applicant has been falsely implicated in the present crime as she is the wife of the co-accused Saket. The applicant was appointed as a director of Artistocrat Films Productions Pvt Ltd at Saket's instance but had no control over its day-to-day affairs. The applicant is a doctor by profession and is not concerned with the company's management. Further, to assist her husband, she advanced a loan to the company, which remains to be paid. Due to marital disputes, the applicant and co-accused Saket no longer reside together. The learned Counsel submits that the applicant is not a beneficiary, and no specific role is attributed to her. The applicant is ready to cooperate with the investigation.

4. Mr Arfan Sait, the learned Additional Public Prosecutor representing the respondent/ State, opposing the grant of pre-arrest bail, argues that the applicant is the company's director and liable for its conduct. Saket, the co-accused, who is the applicant's husband, handed over his laptop to the applicant, who erased the stored data. The money and the laptop are yet to be recovered. The applicant's custody is necessary for investigation.

5. A review of the records reveals that Saket, the applicant's husband and co-accused, represented to the informant that his company, Artistocrat Films Productions Pvt Ltd, was a franchise of VMAS Marathi Asia Network Pvt Limited. In 2022, documents were executed with the informant, assigning rights to a web series in exchange for Rs.82 lakhs, payable in instalments after the series' release. However, despite the series airing on 12 August 2022, the informant remained unpaid, leading to the filing of the present FIR on 3 October 2023. As of 1 August 2024, the applicant has been listed as a director of Artistocrat Films Productions Pvt Ltd since 20 May 2022, despite claiming to have resigned on 28 March 2023. This resignation was not formalised, leaving the applicant liable for the company's obligations. The applicant cited non-disclosure of company accounts by Saket as the reason for resignation but did not pursue proceedings before the National Company Law Tribunal. Given the applicant's role as director, it is unclear how she could be unaware of the arrangement with the informant and the company's liability. With the laptop and money still unrecovered, the applicant's custody is deemed necessary. In the circumstances, the learned APP is justified in contending that this is not a fit case to grant the relief of pre-arrest bail. As a result, the application stands rejected.

(R.N. Laddha, J.)