

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

Anticipatory Bail Application No.2462 of 2024

Karuna Shivdas Kale
An adult, Occ:Household,
Hindu Adult, Inhabitant of Thane,
SS-3, Room No.294, Sector 7,
Koparkhairne, Navi Mumbai, Thane Applicant.

Vs.

The State of Maharashtra
(Through Sr. Inspector of Police
Nehru Nagar Police Station,
in CR No.160/2024) Respondent.

Mr Rahul Tiwari a/w Mohit Darji for the applicant.
Mr Swapnil Pednekar APP for Respondent/State.
PSI SR Gadge, Nehru Nagar Police Station, is present.

Coram : R.N.Laddha, J.

Date : 3 September 2024.

P.C. :

Heard Mr Rahul Tiwari, the learned Counsel appearing on behalf of the applicant, and Mr Swapnil Pednekar, the learned Additional Public Prosecutor representing the respondent/ State.

2. By this application, the applicant seeks pre-arrest bail, in CR No.160 of 2024, registered at Nehru Nagar Police Station,

Mumbai, for offences punishable under Sections 420 read with 34 of the Indian Penal Code.

3. According to the prosecution, the applicant and co-accused, deceived the informant by accepting Rs.6,00,000/- under the false promise of securing a job for the post of clerk in Municipal Corporation. However, they reneged on this commitment and refused to refund the money.

4. Mr Rahul Tiwari, the learned Counsel for the applicant, submits that the applicant, a homemaker, has been falsely implicated in the present crime. He points out that there was an unexplained and unjustifiable delay in filing the FIR. The dispute, he claims, is actually between co-accused, Pawan Gupta and the informant, and the FIR is an attempt to extort the alleged amount from the applicant, who is not the beneficiary. The only accusation against the applicant is that she facilitated an introduction between the informant and co-accused, who allegedly accepted the amount. The applicant is ready and willing to cooperate with the investigation and abide by the terms and conditions imposed by this Court.

5. Mr Swapnil Pednekar, the learned APP, representing the State, acknowledges applicant's limited role in the crime and on instructions, submits that the applicant's custody is not required.

6. Upon examining the records, it appears that the applicant facilitated an introduction between the informant and the co-accused, who received the sum of Rs.6,00,000/-. The applicant neither received nor benefited from the alleged amount. The learned APP, acknowledges that applicant's custodial interrogation is not necessary. Considering the nature of the allegations this Court is inclined to allow the application. Hence, the following order.

ORDER

(i) In the event of the applicant's arrest, in connection with CR No.160 of 2024, registered at Nehru Nagar Police Station, Mumbai, she shall be released on bail on furnishing 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.

7. The application stands disposed of accordingly.

[R. N. Laddha,J.]