

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

Anticipatory Bail Application No.2490 of 2024

Mansi Chintan Sheth Patel

Age: 36 years, Occ: Unemployed

R/at Om Matruchhaya CHS Ltd.,

Ashok Nagar, Near Thakur House,

Kandivali (E), Mumbai

..... Applicant.

Vs.

The State of Maharashtra

(At the instance of Sr. PI Ambernath

Police Station, Thane)

..... Respondent.

Mr Subodh Desai, Sr. Advocate i/by Mr Advait U Shukla for the
applicant.

Mr Yogesh Y Dabke, APP for Respondent/State.

PSI Niteen Belge, Ambernath Police Station, is present.

Coram : R.N.Laddha, J.

Date : 5 September 2024.

P.C. :

This is an application for pre-arrest bail filed by the applicant apprehending arrest in connection with CR No.1060 of 2024, registered at Ambernath Police Station, Thane, for offences punishable under Sections 406 and 420 r/w 34 of the Indian Penal Code.

2. According to the prosecution, the applicant is the daughter of

co-accused Sudhir and Chhaya, who have already been granted anticipatory bail by this Court. It is alleged that the applicant and her husband, Chintan, persuaded the informant and her brother to obtain a loan and transfer the funds to them with the promise of lucrative returns from an investment in Avishkar Ventures Management Services Pvt Ltd. However, when the applicant and her husband failed to repay the invested amount, the informant reported the incident, leading to the registration of the present crime.

3. Mr. Subodh Desai, the learned Senior Counsel representing the applicant, asserts the applicant's innocence. He argues that the alleged amount transferred to the applicant's account was immediately transferred the next day to the account of the co-accused, Chintan. The applicant did not benefit from the alleged transaction; instead, her parents mortgaged their house out of love and affection for the informant, raising Rs. 80,00,000/- to help her husband, Chintan, repay his debts. The learned Counsel contends that the applicant has been falsely implicated in the crime to pressure and extort the alleged investment sum from her. With the co-accused, Chintan, already in custody, the applicant's detention is unwarranted as no further recovery or discovery is needed. The applicant is ready and willing to comply with any conditions imposed by the Court.

4. Mr. Yogesh Dabke, the learned Additional Public Prosecutor for the respondent/State, highlights the gravity of the offence and submits that the investigation is in progress. He expresses concern that granting the applicant pre-arrest bail could lead to interference with evidence or influence over witnesses.

5. Upon reviewing the records, particularly the allegations in the FIR, it appears that the co-accused, Chintan, has benefited from the alleged sum. The co-accused, Sudhir Patel and Chhaya, who are the applicant's parents, have already been granted anticipatory bail. The applicant does not seem to be the beneficiary of the alleged funds. To mitigate concerns about evidence tampering and witness influence, appropriate conditions can be imposed. Considering these factors, this Court is inclined to grant pre-arrest bail to the applicant. Hence, the following order :

ORDER

(i) In the event of the applicant's arrest in CR No.1060 of 2024, registered at Ambernath Police Station, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties of the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required.

(iii) The applicant, herself or through any other person, shall not tamper with the evidence or influence the witnesses.

6. The application stands disposed of accordingly.

[R. N. Laddha,J.]