

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

**Anticipatory Bail Application No.2726 of 2024**

Jayshree Babubhai Chotaliya

Age about 53 years, Occ: Housewife,

Indian Inhabitant, Resident of

Flat No.B/206, Parekh Apartment,

Sarojini Road, Vile Parle East,

Mumbai 400 056

... Applicant

v/s.

State of Maharashtra

Vide their C.R. No.331 of 2024 of

Vanrai Police Station

... Respondent

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Ms Shifa Khan, i/b. Abdul Wahab Khan, for the Applicant.

Mr Arfan Sait, APP, for Respondent State.

WAPI Geetanjali V Sanap, Vanrai Police Station, Mumbai, is present.

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**Coram: R.N. Laddha, J.**

**Date: 7 October 2024**

**P.C.:**

By this application, the applicant seeks pre-arrest bail in connection with CR No.331 of 2024, registered at Vanrai Police Station, Mumbai, for offences punishable under Sections 318(2), 316(2), 319(2) and 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. According to the prosecution, the informant and accused No.1 met on a matrimonial website, where accused No.1 promised to

marry her. Accused No.1 informed the informant via WhatsApp that he was employed as a project manager at Google in Mumbai. However, he claimed that after leaving the company mid-project, a fine of Rs.12 crores was imposed on him, and he was in urgent need of money. Accused No.1 told her that he resolved the issue with the company but still required more funds. Believing his story, the informant transferred Rs.22,15,000/- in his bank account. Accused No.1 repaid Rs.8,70,000/-, but Rs.13,45,000/- remains unpaid. During this time, the informant met the applicant, the mother of accused No.1, who deceitfully told her that the dispute was ongoing between her son and his company, and that he needed money.

3. Ms Shifa Khan, the learned Counsel appearing on behalf of the applicant, submits that the applicant is 65-year-old and mother of accused No.1 with no criminal antecedents. The applicant is neither the beneficiary nor the recipient of the alleged sum. There is no material on record connecting her to the present crime.

4. Mr Arfan Sait, the learned Additional Public Prosecutor representing the respondent/ State, submits that accused No.1 was never employed by Google, and the company never imposed any fine on him. Accused No.1 has a habit of deceiving innocent individuals to extort money from them.

5. Upon perusing the records, it appears that the sole allegations

against the applicant is that she informed the applicant about an ongoing dispute between her son (accused No.1) and his company, and mentioned that he needed money. Admittedly, the applicant neither induced the informant nor benefited from the alleged funds. Accused No.1 has already been arrested. The learned APP, based on instructions from the investigating officer present in the Court, has fairly acknowledged that the investigating agency does not require the applicant's custody. This indicates that the prosecution has no objection to granting pre-arrest bail to the applicant. In these circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

**ORDER**

(i) In the event of the applicant's arrest in CR No.331 of 2024, registered at Vanrai Police Station, Mumbai, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) 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.)