**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**ANTICIPATORY BAIL APPLICATION NO. 3043 OF 2024**

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| Nidafarheen Mohammed Alam Malik | … | Applicant |
| vs. | | |
| The State of Maharashtra | … | Respondent |

Mr. Shubham Sane for applicant.

Mr. Bapu V. Holambe-Patil, APP for respondent-State.

Mr. Saheba Pote, API, Vimantal (Airport) Police Station, District Pune City.

**CORAM : MANISH PITALE, J.**
**DATE : 14th NOVEMBER, 2024**

**P.C. :**

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

2. The applicant is apprehending arrest in connection with FIR No.0638 of 2023 dated 23.12.2023, registered at Vimantal (Airport) Police Station, District Pune City, for offences under Sections 406, 420, 465 and 506(2) read with Section 34 of the Indian Penal Code, 1860.

3. The FIR is registered against unknown persons, although the name of one of the accused persons i.e. Narendra Yadav is specifically given in the statement of the informant that led to registration of FIR. It is the case of the informant that he was lured by the said person into investing huge amount. But, subsequently the informant was duped, as he was not given returns and he suffered financial losses.

PRIYA KAMBLI Digitally signed by PRIYA KAMBLI Date: 2024.11.14 18:10:41 +0530

4. The learned counsel for the applicant submitted that very limited role is attributed to the applicant in the form of facilitating loan, which was disbursed into the account of informant. This amount, in turn, appears to have been transferred to the said Narendra Yadav for investment.

5. The learned APP submitted that the allegation against the applicant pertains to processing of the loan amount.

6. This Court has perused the material on record, including the email at Page No.35 as also response thereto given by the informant, which *prima facie* indicates that the informant was aware about processing and disbursal of loan into his account. The applicant appears to have performed the limited role of facilitating and processing of loan amount, as she is working as a freelancer with a financial institution called Finance Buddha. There does not appear to be any material on record to indicate that the applicant, in any manner, was beneficiary of the alleged scam.

7. Therefore, the application deserves to be allowed, particularly because the applicant is a woman and she has undertaken to co-operate with the investigation.

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

(i) In the event the applicant is arrested in connection with FIR No.0638 of 2023 dated 23.12.2023, registered at Vimantal (Airport) Police Station, District Pune City, she shall be released on bail on furnishing PR Bond of ₹ 25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

(ii) The applicant shall remain present before the Investigating Officer on 18.11.2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer.

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

(iv) The applicant shall co-operate with the investigation and also in the proceedings before the trial court.

9. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

10. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.

11. The application stands disposed of.

**(MANISH PITALE, J)**

***Priya Kambli***