

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1358 OF 2024

Karuna Ravi Singh ... Applicant
Vs.
State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.2095 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.1358 OF 2024

Mr. Milan Desai a/w. Mr. Shailesh Srivastava and Mr. Uday Singh for Applicant.
Mr. Sagar R. Agarkar, APP for Respondent-State.
None for Applicant in IA/2095/2024.
Mr. N. A. Deshmukh, PSI, EOW Raigad, Alibaug.

CORAM : MANISH PITALE, J.
DATE : JULY 29, 2024

P.C. :

. Heard Mr. Desai, learned counsel for the applicant and Mr. Agarkar, learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0088 of 2022 dated 16.07.2022 registered with Shrivardhan Police Station, District Raigad, for offences under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860 (IPC). This Court is informed that subsequently, offences under the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 (MPID Act) have also been added.

3. At the outset, this Court put a query to the learned counsel for the applicant as to why anticipatory bail application has been moved in the year 2024, while the FIR is dated 16.07.2022. In response, the learned

counsel for the applicant brings to the notice of this Court that although the applicant was named as an accused in the FIR itself, upon completion of investigation, the investigating authority did not find any material against the applicant and this is evident from the contents of the charge-sheet itself. She was not arrested and the investigating authority did not find any reason to arrest her.

4. It is further submitted that when the Economic Offences Wing (EOW) came into the picture, the notices under Section 41-A of the Code of Criminal Procedure, 1973 (Cr.P.C.) were issued to the applicant on 14.09.2023 and 03.10.2023. In paragraph 65 of the application, it is specifically stated that the applicant not only responded to the said notices and attended office of the investigating authority, but full co-operation was extended by the applicant. It is stated that despite the aforesaid circumstances, the EOW appears to be taking steps to arrest the applicant.

5. This Court put queries to the learned APP as to what is the new material that has come on record necessitating arrest of the applicant, to which he submitted that there is material to show that substantial amounts were transferred by the co-accused Amitkumar Sharma into the account of the applicant. Attention of this Court is also invited to statement of the said co-accused person at pages 190-191.

6. This Court is of the opinion that when the aforesaid material was known to the investigating authority when the charge-sheet was filed, it appears to be a quite surprising that at this stage, the investigating authority is insisting on arresting the applicant, who is a woman.

7. In these circumstances, the applicant has clearly made out a *prima facie* case in her favour for granting interim relief, subject to the applicant co-operating with the investigating authority.

8. In view of the above, the following interim order is passed:-
- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0088 of 2022 dated 16.07.2022 registered with Shrivardhan Police Station, District Raigad, she shall be released on bail on furnishing PR Bond of Rs.25,000/- [Rupees Twenty Five Thousand only] with one or two sureties in the like amount;
 - B. The applicant shall remain present before the investigating officer on 31.07.2024 and 01.08.2024 between 10:00 a.m. and 12 noon and thereafter as and when required by the investigating officer;
 - C. The applicant shall co-operate with the investigation;
 - D. The applicant shall not influence the informant, witness or any person concerned with the case and she shall not tamper with the evidence.
9. Needless to say, violation of any of the aforesaid conditions may result in this order being recalled.
10. List for further consideration on 19.08.2024, H.O.B.

(MANISH PITALE, J.)

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