



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 455 OF 2024

Mrs. Ranjita w/o Ishwar Bhalavi V/s State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.S.Taram, counsel for the applicant.

Mr. K.R.Lule, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 02/08/2024.

1. Apprehending the arrest, at the hands of police, in connection with Crime No. 325/2024 registered with police station Kalmeshwar, District Nagpur for the offence punishable under Sections 406, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860 and Section 138 of the Negotiable Instruments Act, 1881, and Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishment) Act, 1999 (for short 'MPID'), applicant approached this court for grant of pre-arrest bail.

2. Learned counsel for the applicant submitted that the applicant is the wife of one of the directors, against whom the allegation is that he has induced the various investors to invest the money on the promise of handsome returns. He submitted that, as far as the present applicant is concerned, merely because she is the director, she is implicated in the alleged offence. There is no allegation of

either inducement or obtainment of any amount from any of the investors. Her husband is already arrested and behind bars, as far as the custodial interrogation of the present applicant is concerned, which is not required. In view of that, she be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said application and submitted that, from the statements of the witnesses, it reveals that she is not only the wife of the co-accused but she is the director of the company, which was established by her husband by name Iffotence Green Energy Solutions Pvt. Ltd.. She has induced the investors to invest the amount, and thereafter, the investors are duped. Thus, considering the prima-facie case against her, the application deserves to be rejected.

4. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, from which it reveals that there is only one statement of one Manisha Vijayji Hadke, which shows that the applicant has induced her for investment of the amount, and accordingly, she has invested the amount in the said company.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers. From which, it reveals that except the allegation that she is the director, there is no other material to show that she has either induced or obtained the amount from

any of the investors. Only one statement of Manisha Vijayji Hadke attributes her role, as to the inducement. Considering the role attributed to the present applicant, her custodial interrogation is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

- a] The criminal application is allowed.
- b] In the event of the arrest, the applicant - Mrs. Ranjita w/o Ishwar Bhalavi, shall be released on anticipatory bail, in connection with Crime No. 325/2024 registered with police station Kalmeshwar, District Nagpur for the offence punishable under Sections 406, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860 and Section 138 of the Negotiable Instruments Act, 1881, and Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishment) Act, 1999 (for short 'MPID'), on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the investigation.

- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]