



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

CRIMINAL APPLICATION (ABA) NO.671 OF 2024

Varsha w/o Ramesh Deshmukh

Vs.

State of Maharashtra, Through Police Station Officer, Beltarodi Police
Station, District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Jagruti S. Kurwe, Counsel h/f Mr. N. B. Rathod, Counsel for the applicant.
Mr. S. A. Ashirgade, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 25/11/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.227/2024 registered with Police Station Beltarodi, District Nagpur for the offence punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Sneha Pralhad Mhaske on an allegation that the present applicant is residing near to her house and acquainted with her. The co-accused Manisha informed that her brother-in-law Mr. Chetan Ingle is the President of Panther Army Sanghatna and will provide a job if they are ready to pay some amount and accordingly, the amount of Rs.5,00,000/- was demanded, out of which

Rs.1,00,000/- was deposited in the account of the present applicant. On the basis of said report, police have registered the crime against the present applicant and other co-accused.

3. Heard learned Counsel for the applicant who submitted that as far as the demand is concerned, there is no allegation that it was the present applicant who has demanded the amount from the informant, but some amount was transferred in her account. As far as the amount which is received by the present applicant is concerned, is already deposited by her, therefore her custodial interrogation is not required. In view of that, she be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that the amount was demanded to provide a job in a police department. Considering the nature of the offence, the prayer for grant of anticipatory bail deserves to be rejected.

5. After hearing both sides, on perusal of the recitals of the FIR and investigation papers, it reveals that the co-accused has demanded the amount for providing the job and the amount of Rs.1,00,000/- was deposited in the name of the present applicant who is the relative of the other co-accused. It reveals from the recitals of the FIR that the applicant and other co-accused, in furtherance of their common intention, obtained the amount on the

pretext of providing the job and duped the complainant. Considering the nature of the offence for which punishment less than seven years is provided and as far as the purpose of the custodial interrogation is concerned for recovery of the amount which is already deposited. In view of that the applicant has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, in connection with Crime No.227/2024 registered with Police Station Beltarodi, District Nagpur for the offence punishable under Section 406 and 420 read with Section 34 of the Indian Penal Code, the applicant **Varsha w/o Ramesh Deshmukh** shall be released on anticipatory bail, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station once in week on Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency, till filing of the charge sheet.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)