



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

CRIMINAL APPLICATION (ABA) NO.772 OF 2023

Sneha Chandrashekhar Walwaikar

Vs.

The State of Maharashtra, Through Cyber Police Station Nagpur City

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

Court's or Judge's orders

Mr. Kalyani Sunilrao Ashtikar, Advocate for applicant.

Mr. N. B. Jawade, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 19/06/2024

1. By this application, the applicant is seeking anticipatory bail, in the event of arrest, in connection with Crime No.0096/2023 registered with Cyber Police Station, Nagpur City for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860 and Section 66(D) of the Information Technology Act, 2000.

2. The applicant is apprehending arrest as she was serving as Manager in an authorized service center of Daikin Air Conditioning System run by her cousin Mr. Laxman Ganpat Bagwe in the name of Shree Cooling Creation. Though she was serving with her cousin, she had not received any salary for the last past three to four months, as the employer's business suffered heavy loss because of Covid-19 Pandemic. Now, the crime is registered against the

employer. It is alleged that the complainant has received a message on his WhatsApp and called his willingness in respect of whether he wants to become a supplier in India. On inquiry, it revealed to him that his mobile phone was obtained from Exporter India. Thereafter, there is an allegation that forged receipt was issued to him regarding the goods purchased by him.

3. The learned counsel for the applicant submitted that as far as the present applicant is concerned, no role is attributed to her, but only because she was serving there, she is implicated as an accused. After she was protected by granting ad-interim protection, she has cooperated with the investigating agency and her custodial interrogation is not required.

4. Learned APP strongly opposed the said application on the ground that the applicant was serving in the said firm and she has played the vital role in issuing the said forged receipt and therefore, her custodial interrogation is required.

5. After hearing the learned Counsel for the applicant and learned APP for the State, perused the investigation papers. Admittedly, her name is not mentioned in the FIR. From the investigation papers also, no specific role is attributed to her. Moreover, considering the fact that she has already cooperated

during the investigation and her custodial interrogation is not required, in view of that the interim protection granted to her deserves to be confirmed in connection with Crime No.0096/2023 registered for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860 and Section 66(D) of the Information Technology Act, 2000, on the similar terms and conditions which are imposed by this Court by order dated 22.01.2024.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)