



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.188 OF 2024

(Asha D/o Charandas Patil Vs. 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. Chahande, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.
Mr. S.P. Sonwane, Advocate for Assist to Prosecutor.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JUNE 26, 2024.

Heard.

2. By this application, the applicant is seeking pre-arrest bail in connection with Crime No.49/2024 registered with Police Station Shegaon, Lohmarg Chatrapati Sambhaji Nagar for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicant submitted that as per the allegation in the FIR, the applicant induced the informant to invest the amount of Rs.5,00,000/- on which she would get Rs.15,00,000/- from the Manager of the Institution. It is alleged that the informant was well acquainted with the present applicant, and therefore, by believing the words, she has invested the amount and she was duped by the present applicant. He submitted that as far as the custodial interrogation of the present applicant is concerned which is not required as the amount was

handed over to the co-accused whose bail application is already rejected.

4. Learned APP strongly opposed the said application on the ground that considering the manner in which the informant was duped and the present applicant who induced the informant to invest the amount with the co-accused whose bail application is already rejected. The custodial interrogation of the present applicant is required. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties and perused the investigation papers from which it reveals that only allegation against the present applicant regarding the inducement, the person to whom the amount was handed over and whose application for anticipatory bail is already rejected. As far as the amount of recovery is concerned which is to be recovered from the other co-accused, therefore, custodial interrogation is not required. In view of that, the interim protection granted to the present applicant deserves to be confirmed.

6. Hence, the application is allowed and the interim protection granted to the applicant vide order dated 18/03/2024 is hereby confirmed on the same terms and conditions except condition No.9(ii), which is modified as under :

“The applicant shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 1.00 p.m. till filing of the charge-sheet and the Investigating Officer shall record her presence.”

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*