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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 343 OF 2025**

Pooja Ajit Bhosale Joshi

.....Applicant

Vs.

State of Maharashtra

.....Respondent

Mr. Aditya Raktade a/w Mr. Dnyanesh Patil Advocate for the Applicant
Mr. A. S. Patil APP for the respondent-State
Ms. Pallavi Yadav, API

**CORAM : GAURI GODSE, J.
DATE : 10th FEBRUARY 2025**

ORDER:

1. This is a second application seeking pre-arrest bail in connection with CR No. 488 of 2023 dated 24th April 2023 registered with Shahupuri Police Station, Kolhapur, for the alleged offences punishable under Sections 406, 420, 468 and 471 of Indian Penal Code and Section 3 of M.P.I.D. Act.
2. This Court vide order dated 17th May 2023 rejected the Anticipatory Bail Application No. 1433 of 2023 of the applicant.
3. Learned counsel for the applicant submits that the applicant is now ready to deposit the amount of Rs. 22,37,200/- to show her bonafides. He submits that the demand drafts are ready and copies of

the same are annexed to the application. He submits that earlier, though a statement was made on behalf of the applicant, she was unable to secure the amount involved in the complaint filed against the applicant. Learned counsel for the applicant on instructions submits that the applicant is also agreeable to secure the entire amount involved in the complaint. He, therefore, submits that in view of this change in circumstance, the applicant be granted protection from arrest.

4. Learned APP submits that the allegations against the applicant are serious as the bank fixed deposit receipts are forged. He submits that accused no. 3 has been recently arrested. He submits that in view of the serious allegations against the applicant regarding forgery, custodial interrogation would be necessary. He submits that the applicant is still not traceable and has never attended the police station. He submits that none of the accused have cooperated in the investigation.

5. Learned APP further points out that before the Sessions Court, the applicant had made a statement on 4th May 2023 and had given an undertaking that she would secure the amount. He submits that even before this Court in the earlier application, a statement was made that

the applicant is ready and willing to deposit the amount of Rs. 45,00,000/- within three weeks. He further submits that the applicant has neither secured any amount nor she has cooperated in the investigation. He submits that due to non cooperation of all the accused, till date, the investigation is not complete. He submits that large number of investors have been duped by the applicant and other co-accused. Learned APP, therefore, opposes grant of any interim protection.

6. In the earlier application also, similar assurance was given on behalf of the applicant. Though willingness was expressed on behalf of the applicant, she had not made any attempts to secure the amount. Even otherwise, only securing the amount involved in the complaint cannot be a sole ground to grant any protection.

7. Earlier, the applicant was granted ad-interim protection by order dated 4th May 2023 passed by the Sessions Court, by recording her undertaking that she would deposit an amount of Rs. 22,37,000/- in the Sessions Court. However, the applicant never abided by her undertaking.

8. This Court in the order dated 17th May 2023 has already

recorded that serious allegations are made against the applicant and the investigation papers reveal that the applicant is seen involved in issuance of bogus fixed deposit receipts and also bogus bank ledger extracts. The submissions made on behalf of the applicant regarding securing the amount was not accepted by observing that the willingness to deposit the amount did not appear to be a genuine request in view of the earlier conduct of the applicant of not abiding with the undertaking given to the Sessions Court. In view of the serious allegations against the applicant and large number of investors been affected involving huge amounts alleged to have been fraudulently taken from the investors, this Court observed that custodial interrogation would be necessary. Hence, the application for grant of anticipatory bail was rejected.

9. Learned APP submits that even today, the investigation is not complete regarding fraudulent documents, in view of the non cooperation on the part of the accused. Thus, I do not see any change in circumstance to grant pre-arrest bail as prayed by the applicant by way of this application. Hence, the application for grant of anticipatory bail is rejected.

[GAURI GODSE, J.]