

Prasad Rajput
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 116 OF 2025

Neha Hooda	.. Applicant
Versus	
State of Maharashtra	.. Respondent

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- Ms. Vandana Bait a/w Mr. Harsh Nishar, Ms. Niyati Sontakke i/b Mr. Amey Deshpande, Advocate for Applicant.
- Mrs. Mahalaxmi Ganpathy, APP for State.
- Mr. Sandip Mane, API, CBD Belapur Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 15, 2025

P.C.:

1. Heard Ms. Bait, learned Advocate for Applicant and Mrs. Ganpathy, learned APP for Respondent - State.

2. This is an Application filed by Applicant seeking anticipatory bail in connection with Crime No. 231 of 2024 registered with C.B.D. Belapur Police Station for the offences punishable under Sections 463, 464, 465, 467, 468, 470, 471, 405, 406, 415, 417, 419, 420, 425, 426, 427 and 120-B of the Indian Penal Code, 1860 r/w Sections 66 (C), 66 (D) of the Information and Technology Act.

3. Applicant is working as Deputy Manager in State Bank of India. The Complainant is her husband who is a Lieutenant

Commander in Indian Navy and presently posted at Naval Dockyard, Colaba, Mumbai. FIR is lodged against the Applicant on 12.10.2024, copy of which is appended at Page No. 19 of the Application. Admittedly, there is dissolution of marriage proceedings between the parties pending in the Rohtak, Haryana. There is a Domestic Violence proceeding filed by the applicant against the complainant which is pending in Rohtak, Haryana. Parties have got married in Rohtak, Haryana. Applicant has a two year old son to provide care and support for which is nurtured by the Applicant. She is admittedly working in Rohtak.

4. Allegations in the FIR is for cheating and committing forgery. It is the case of the complainant and as stated by the learned APP that when the when the complainant was away in Russia on duty, the Applicant misused the authority given to her and apparently forged the complainant's signature and obtained a bank loan in their joint names which has been denied by the Complainant as according to her Complainant had given his consent for the same.

5. Advocate for the Applicant has informed the Court that an amount of Rs. 40,00,000/- was availed as bank loan and the said amount was invested in the purchase of one flat in Hinjewadi, Pune, the agreement of which is appended at Page No. 82 of the Application. She would submit that possession of the said flat has not been received

by her as yet. Admittedly, the said flat has been purchased in the joint names of Applicant and Complainant. Though, Ms. Ganpathy, learned APP would submit that appropriate disclosures will have to be made by the Applicant in the event if she has acted in furtherance of the authority that she had or she has invested in any other properties also and also the *modus operandi* in which the present transaction was done by the Applicant.

6. In my opinion, considering the aforementioned facts the custodial interrogation of the Applicant is not necessary provided the Applicant shall fully cooperate with the investigation. Applicant will have to cooperate with the investigation considering the charges levelled against her. Cooperation will be to the effect that Applicant will have to attend investigation before the Investigating Officer and submit all disclosures, *inter alia*, pertaining to all documentation of the subject flat, present EMIs which are paid by the Applicant for the subject flat etc. Needless to state that the complaint will be taken to its logical end in accordance with law. I am informed by the learned Advocate for the Applicant that Applicant is working in SBI in Rohtak at present. Considering the fact that she has to provide care and support for her two year old son who is with her, she is directed to attend the investigation and cooperate with the Investigating Officer for three days on 31.01.2025, 01.02.2025 and 02.02.2025 between 10.00 am to 05.00 pm. Thereafter, if the presence of the Applicant is

required by the Investigating Officer for any reason, the Investigating Officer shall give advance intimation to the Applicant of at least 2 weeks in advance to enable her to make arrangements to travel to Mumbai and join investigation.

7. In view of the above observations, following order is passed:-

- (i) In the event of arrest, Applicant – Neha Hooda, in connection with Crime No. 231 of 2024 registered with C.B.D. Belapur Police Station for the offences punishable under Sections 463, 464, 465, 467, 468, 470, 471, 405, 406, 415, 417, 419, 420, 425, 426, 427 and 120-B of the Indian Penal Code, 1860 r/w Sections 66 (C), 66 (D) of the Information and Technology Act is ordered to be released on bail on furnishing P.B. and S.B. in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand Only) with one or two sureties to the like amount;
- (ii) Applicant shall report to the concerned I.O. or Police Station on 31.01.2025, 01.02.2025 and 02.02.2025 between 10.00 am to 05.00 pm and thereafter as and when called and shall cooperate with the investigation;
- (iii) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted;

(iv) She shall deposit her passport, if any, with the I.O. within two (2) weeks;

(v) Applicant shall not influence the witnesses or tamper with the evidence in any manner;

(vi) Applicant shall keep the Investigating Officer informed of her current address and mobile contact number and/or change of residence or mobile details, if any, from time to time, as applicable;

(vii) Applicant shall not misuse his liberty in any manner or to influence the witnesses in any way; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

8. Application stands allowed and disposed.