

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 238 OF 2025

Anvi Rohan Shinde

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. Satish Kumar Pandey, Advocate for Applicant.
- Ms. Rajeshree V. Newton, APP for State.
- Mr. R. Sonawane, PSI, Byculla Police Station.

.....

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 24, 2025

P. C.:

1. Heard Mr. Pandey, learned Advocate for Applicant and Ms. Newton, learned APP for State.

2. Applicant - accused is apprehending arrest in connection with C.R. No. 672 of 2024 registered with Brihanmumbai Shahr Police Station on 01.10.2024 for the offences punishable under Sections 3(5), 316(2), 318(4), 336(2), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**").

3. Applicant before me is an employee of Principal Accused No.1 namely Raj. The Accused Nos.1 and 3 agreed to sell immovable property namely the subject flat to the First Informant for an amount of Rs.1,80,00,000/-. He was successful in persuading the First Informant to transfer an amount of Rs.1,22,54,001/- into their

respective bank accounts. The aforesaid amount was transferred by the First Informant and his father to the Accused Nos. 1 and 3. Thereafter, further demand was made by the Accused Nos. 1 and 3 leading to filing of the report because they had sown false documents with respect to the subject flat to the First Informant. They had also persuaded the First Informant to transfer the balance amount of Rs. 50,00,000/-.

4. Mr. Pandey, learned Advocate for Applicant would inform the Court that names which are registered as Accused Nos. 2 and 3 are also false and fictitious. Such is the case and therefore indictment of the Applicant is shown as Accused No.7 whose name and nomenclature is shown as Nikita whereas the name of Applicant is Anvi Rohan Shinde. He would submit that Applicant was employed in the office of Accused No.3 as a tele-caller two months prior to the date of transaction in question and has admitted that an amount of Rs.16,44,500/- was transferred to her Axis Bank of Account and Accused Nos. 1 and 3 took a bearer cheque and withdrawn the said amount from her bank account. He would submit that Applicant is not involved in the negotiation of the transaction in question nor she can be claimed to be the beneficiary though it is the case of the prosecution that Applicant is the beneficiary and involved in the transaction. On perusal of the record, it is seen that Applicant is a

married lady having 8 year old daughter. Her antecedents are clean. Applicant's custodial interrogation is not at all required. However, since the Applicant has worked for two months in the office of the accused, she will have to cooperate and participate in the investigation as and when called for.

5. In that view of the matter, Applicant is granted pre-arrest bail on the following terms and conditions:-

ORDER

- (i) In the event of the arrest, the Applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 5,000/- with one or two sureties in the like amount;
- (ii) Applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case;
- (iii) Applicant shall attend the Police Station on the first Monday of every month between 10.00 a. m. and 12.00 noon until the Charge-sheet is filed and as and when called for by the investigating officer thereafter;
- (iv) Applicant shall inform her latest place of residence and mobile contact number with the Investigating Officer and/or change of residence or mobile details, if any, from

time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

- (v) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

6. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. Application stands allowed in the aforesaid terms and is accordingly disposed of.

[MILIND N. JADHAV, J.]