



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.355 OF 2025

SAVINA RAJESH GAWAND AND ANR ...APPLICANTS
VS
THE STATE OF MAHARASHTRA ...RESPONDENT

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Adv. Sandya Tiwari A/W Dilip Kmath, Abhijeet Yadav, Padmavati
Viashya for the Applicants.

Adv. Supriya Kak, APP for the State.

Adv. Heena Faruki a/w Adil Naavi for the Intervener.

PSI Balaji Paware, Rabale Police Station.

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CORAM : RAJESH S. PATIL, J.

DATED : MARCH 10, 2025

P.C.:

1. The applicants prayed for anticipatory bail in connection with crime no.461/2024 registered in Rabale Police Station for the offence punishable under sections 406, 420 of the Indian Penal Code, 1860. The applicants apprehension of arrest and therefore file this application.

2. An FIR has been lodged against the applicants alleging that the applicants obtained heavy deposit for giving the house on rent. Such amounts were collected from the first informant and other peoples. The total amount collected by the applicants is around Rs.1,78,00,000/-, out of which the applicants returned around Rs.32 to 55 lakhs to several

peoples. It is further alleged that the applicants have not given the house on rent neither has returned the money back to the victims. Applicant no. 1 and her husband had cheated several persons by the same *modus operandi*. The applicant no. 2, who is the husband of applicant no. 1 has been arrested.

3. Learned APP submits that the statement of 38 peoples have been recorded up-till now. The only argument on behalf of the applicant was that there was one Rizvi, who had given them this idea of obtaining heavy security deposit on properties and invest that amount with the said Rizvi and within few months he will return the money three to four times then that of the original amount.

4. The fact remains that the applicants had only one house and on the said house, the applicants have taken security deposits from many persons and the said amount as of now to around Rs.1,78,00,000/-. On 27 February 2025, the counsel for the applicant submitted that the applicants are ready to repay the entire amount but they will require some time to arrange the same. In order to show their *bona fide*, the applicants were directed to deposit a sum of Rs. 30,00,000/- in this Court within a period of two weeks. However, the applicants did not comply with the said direction. Therefore, on 3 March 2025, further time of one week was granted to the applicants. Today, Ms. Sandhya Tiwari, learned counsel for the applicants submits

that the applicant no. 1 is not able to deposit any kind of money in the Court.

5. Taking into consideration the allegations made in the FIR and the non-compliance of the statement made before this by the applicants, the physical presence of the applicants for interrogation is necessary for completion of investigation. Moreover, this is a possibility of the applicants pressurizing and threatening the witnesses and likely to tamper with evidence. I find no merits in the present anticipatory bail application. Hence, **anticipatory bail application stands rejected.**

(RAJESH S. PATIL, J.)