

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 854 OF 2025

ALONGWITH

ANTICIPATORY BAIL APPLICATION NO. 654 OF 2025

SARIKA SANTOSH BHANUSE

..... APPLICANT

VERSUS

STATE OF MAHARASHTRA

..... RESPONDENT

Mr. Dhanraj Lodha for the Applicant in ABA/854/2025.

Mr. Jay Salunke h/f. Mr.Nitin Gaware Patil i/b. Mr.Dhanraj Lodha for the Applicant in ABA/654/2025.

Ms. Pallavi N. Dabholkar, A.P.P for the State.

Mr.Salunkhe, A.P.I., Chembur Police Station present.

CORAM : RAJESH S. PATIL, J.

DATE : 15th APRIL, 2025

P.C. :-

The Anticipatory Bail Application No. 854 of 2025 is filed for pre-arrest bail under Section 438 of the Criminal Procedure Code, 1973 in connection with Crime No. 0007/2025 dated 3rd January, 2025 registered with Chembur Police Station for the offences punishable under Sections 420, 409, 406 of the Indian Penal Code, 1860.

2. The Anticipatory Bail Application No. 654 of 2025 is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and Section 438 of the Criminal Procedure Code, 1973 in connection with Crime No. 0416/2024 dated 9th May, 2024 registered with Chembur Police Station for the offences punishable under Sections 420, 406 r/w. 34 of the Indian Penal Code, 1860 and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999.

3. Based on the complaint, an FIRs have been lodged. The role of the present applicants is mentioned in the said FIR.

4. The learned counsel for the applicant submits that the applicant is a lady who has been arraigned as accused. She has already obtained a divorce from her husband and her husband who is accused, has already been arrested in FIR lodged with Shrinagar Police Station. He submits that the Supreme Court by its order dated 17th March, 2025, a copy of which is enclosed at page 88 of the Anticipatory Bail Application No. 854 of 2025 has granted protection to the present applicant from being arrested. He submits that the order passed by the Supreme Court arising out of the FIR No. 221/2024 registered with Shrinagar Police Station, Thane is a reasoned order. The said FIR

has now been transferred to EOW, Thane. He submits that even in the present pre-arrest bail application, the applicant needs to be protected since the offence punishable in the FIR registered with Shrinagar Police Station, Thane and in the present crime, registered with Chaturshringi Police Station and Chembur Police Station are the same.

5. The learned A.P.P. submits that the applicant is a lady whose husband is already been arrested. The applicant has two growing kids. The Supreme Court in the crime registered with Chaturshringi Police Station has granted protection to the present applicant. It is necessary that the presence of the present applicant would be necessary in order to investigate the crime.

6. I have heard learned counsel for both the sides and have considered the documents on record including order passed by the Supreme Court and the crime registered with Chaturshringi Police Station, Thane. The present crime is registered under Sections 420, 406 and 409 of the Indian Penal Code, 1860.

7. As per the submissions made by the learned A.P.P., even in Shrinagar Police Station, Thane, similar kind of offence was registered against the present applicant. The husband of the present applicant is already arrested and is behind the bars. The Supreme Court has

already protected the present applicant by its order dated 17th March, 2025. Considering the fact that the present applicant is a woman and the case is based on the documentary evidence, hence interim protection is granted to the present applicant.

8. Taking into consideration the above facts, I am of the view that *prima facie*, at this stage, the present applicant is ready to co-operate with the Investigating Officer, hence, she need not be arrested. The present anticipatory bail application is allowed. Hence, the following order :-

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in the Anticipatory Bail Application No. 854 of 2025 in connection with Crime No. 0007/2025 dated 3rd January, 2025 registered with Chembur Police Station for the offences punishable under Sections 420, 409, 406 of the Indian Penal Code, 1860, and in the event of arrest in the Anticipatory Bail Application No. 654 of 2025 in connection with Crime No. 0416/2024 dated 9th May, 2024 registered with

Chembur Police Station for the offences punishable under Sections 420, 406 r/w. 34 of the Indian Penal Code, 1860 and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999, the applicant shall be released on bail, on furnishing P.R. bonds to the extent of Rs.20,000/- each with one or more sureties of the like amount.

(c) The applicant shall co-operate with the investigation and attend and meet the Investigating Officer of the concerned Police Station on 21st April 2025, 22nd April 2025 and 23rd April 2025 between 11:00 a.m. to 1:00 p.m. and thereafter every week on Monday's between 11:00 a.m. to 1:00 p.m. till filing of the charge-sheet.

(d) The applicant should not directly or indirectly contact the first informant in any form whatsoever.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and

further, the applicants shall not tamper with the evidence in any manner whatsoever.

(f) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

9. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicants in the present application, and that the trial Court shall proceed further, without being influenced by the observations made in this order.

10. **Both the anticipatory bail applications are disposed of.**

[RAJESH S. PATIL, J.]