IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1218 OF 2025

Reema Sisodia w/o. Sachin Sisodia .Applicant

Vs.

The State of Maharashtra & anr. .Respondents

Mr. Vikas Rathi a/w. Mr. Yogesh Prajapati i/b. Mr. Rajesh E., Advocates, for the Applicant
Mr. Mayur Sonawane, APP, for Respondent No. 1 – State
Mr. Sunil Bhadhane, PSI, Anti Extortion Cell, Crime Branch, Pimpri – Chinchwad, Pune present
Respondent No. 2 present in Court

CORAM : ASHWIN D. BHOBE, J.

DATE : 30.05.2025

(VACATION COURT)

P. C.

1. Heard Mr. Rathi along with Mr. Prajapati, learned Advocates for the Applicant, Mr. Sonawane, learned APP for Respondent No. 1 – State and Respondent No. 2 who is present in person before this Court.

2. By the present Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short **"BNSS"**), the Applicant is seeking Anticipatory bail in connection with C. R. No.

209 of 2020 initially registered at Narayangaon, for the offence punishable under Section 420 r/w. 34 of the Indian Penal Code, 1860 (for short "**IPC**") and Sections 3 & 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 (for short **"MPID"**). It is informed that the said offence is now transferred to the Respondent No. 1 herein.

3. Case of the prosecution is that the Company called Mega Mind Tracking Consultancy Soft Tech Private Limited developed an APP called "Lupchup" and a franchise was given to the Respondent No. 2/Complainant, with an assurance to share profits with them. The said Company through its Promoters entered into an Agreement with the Respondent No. 2. Respondent No. 2 invested an amount of Rs. 15,00,000/- with the Company. The Company along with its directors, employees have cheated the Respondent No.2 and misappropriated the amount. Besides the Respondent No. 2, 32 other franchise holders/investors have also been cheated to the tune of Rs. 4,78,00,000/-.

4. There are twelve persons Accused in the above said crime. Applicant is Accused No. 8 whereas her husband Mr. Sachin

Sisodiya is Accused No. 6 in the said crime.

5. Accused No. 6 was arrested and is in judicial custody.

6. Criminal Bail Application No. 1898 of 2022 filed by the Applicant before the Court of the learned Additional Sessions Judge, Pune was rejected by the learned Sessions Judge on 20.04.2022.

7. Mr. Rathi, learned Advocate for the Applicant states that the allegations in the offence pertain to the Company and other persons referred to in the FIR. He states that the Applicant is neither a Director nor a Promoter of the Company in respect of which amounts were collected. He states that the allegations are essentially against the Accused No. 6 i. e. husband of the Applicant who is in custody. He points out to documents at Exh – C Colly from page Nos. 31 to 48 to contend that the similar offences have been registered against the Applicant and other Accused in the State of Madhya Pradesh, wherein the Applicant has been secured by the Anticipatory bail. He submits that similar protection may be afforded to the Applicant, as the allegations against the Applicant in the State of Madhya Pradesh are identical to the offences registered in the State of Maharashtra. He states

that the Applicant is nowhere connected to the Company who is Accused in the crime. He states that the Applicant is a housewife. He further states that the Applicant has not received any cash or any amount from the depositors.

8. Mr. Sonawane, learned APP states that the offence alleged in the crime which is the subject matter of C. R. No. 209 of 2020 is a serious offence which pertains to the cheating, defrauding of several investors. He states that the magnitude of the amount involved in the crime is to the tune of Rs. 5,32,49,306/-. He submits that the offence is a systematic case of defrauding victims who were lured and induced to invest their hardened money. He submits that considering the magnitude of the crime, shows that the Applicant would have wide influence He submits that the Applicant's custody is required for investigation, as she is a person who is directly involved in the crime along with other Accused. He submits that the Applicant is absconding. He submits that the documents at Exh – C Colly from page Nos. 31 to 48 relied by the Applicant would indicate that the Applicant is involved in such offences even in the State of Madhya Pradesh, which reflects on the criminal antecedents of the Applicant. He, therefor, prays that

the Bail Application may be dismissed.

9. Respondent No. 2 submitted that it is the Applicant who is instrumental in cheating the investors/franchise like the Respondent No. 2. She submits that the Applicant is the master mind behind the scam which is subject matter of the present crime. She submits that the Applicant is seen on various YouTube Videos promoting the product of the Company. For the said reasons she submits that the Application filed by the Applicant be dismissed.

10. I have given due consideration to the arguments advanced by the learned Advocates and the Respondent No. 2 in person. I have gone through the records with the able assistance of the learned Advocates.

11. Nature of the allegations in the crime would indicate a scam and the *modus operandi* of the persons Accused in the crime which includes the Applicant was to induce investors and cheat them. Applicant is specifically named in the crime. In addition to the offences under the Indian Penal Code, the crime makes a reference to offence punishable under the provisions of the MPID Act being attracted in the present case, as various investors are

alleged to have been cheated by the persons named in the crime.

12. The contention of Mr. Rathi that the Applicant is neither a director nor a promoter of the Company and the Applicant having not received any amount is required to be tested with a pinch of salt considering the husband of the Applicant also being named as an Accused, who presently is in custody. At any rate, the crime alleged against the Applicant is required to be thoroughly investigated, more so in view of the allegations made in the crime in the context of the provisions of Sections 3 & 4 the MPID Act. Investigation officer deserves a free hand to take investigation to its logical conclusion.

13. Allegations made against the Applicant are serious allegations. Various investors are alleged to have been cheated by the Applicant and the other persons Accused. Similar offences are registered against the Applicant in the State of Madhya Pradesh.

14. Given the gravity of the allegations showing involvement of the Applicant in the offence, custodial investigation of the Applicant in the present case is warranted. The Applicant is not entitled to any discretionary relief of Anticipatory bail.

15. In view of above, Anticipatory Bail Application No. 1218 of 2025 stands dismissed.

(ASHWIN D. BHOBE, J.)