

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No.1361 of 2025

Archana Krunal Davda
Age-34 years, Occ-Service
R/at. B/H, 502, Nityanand Kumar,
B/H Gandhi Market, MG Road,
Ghatkopar (East),
Mumbai 400 077.

... Applicant

versus

1. The State of Maharashtra
(Instance of Sanpada Police Station
C.R.No.10 of 2024)

2. Narseen Rauf Patel
Age-adult, Occ-Galaxy Sector,
Room No.402, Plot No.121,
Sector 44 Seawoods, Navi Mumbai

... Respondents

Mr Aditya Pimple, i/b. CS Patil, for the applicant.
Mr PP Jadhav, APP, for the respondent/ State.
API AR Shinde, EOW-2, Navi Mumbai, is present.

**Coram: R.N. Laddha, J.
Date: 4 August 2025.**

P.C.:

By this application, the applicant seeks pre-arrest bail in
connection with CR No.10 of 2024, registered at Sanpada

Police Station, Navi Mumbai, for offences punishable under Sections 406, 409 and 420 read with 120B and 34 of the Indian Penal Code, Sections 3, 4, and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, Sections 3, 4, 5, 6, 21, 22, 23 and 25 of the Banning of Unregulated Deposit Schemes Act, 2019, and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

2. The prosecution alleges that the applicant, in collusion with the co-accused, persuaded the informant and other investors to invest substantial funds in various schemes floated by the companies owned by them and promised lucrative profits. However, they did not repay the invested amount or provide the promised returns.

3. Mr Aditya Pimple, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant has been falsely implicated in the crime as she is the wife of accused No.1. The only role attributed to the applicant is that the co-accused introduced her to the informant, and she attended a seminar. Even as per the FIR, there are no allegations of inducement against the applicant. The learned Counsel submits that the applicant is not

the beneficiary of the alleged funds. The applicant is ready and willing to abide by any conditions imposed by this Court if granted pre-arrest bail.

4. Mr PP Jadhav, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request for pre-arrest bail and contends that the offence is of a grave and serious nature. He submits that the applicant received Rs.65,000/- in her bank account from accused No.1. The applicant, in connivance with the co-accused, induced the informant and other investors to invest in the schemes. The learned APP, on instructions, submits that a charge sheet has been filed against the co-accused, and the investigation against the applicant is nearing completion. However, he expresses concerns about potential evidence tampering and witness influence if granted pre-arrest bail.

5. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records.

6. Upon perusing the records, more particularly the contents of the FIR, it appears that the applicant is the wife of accused No.1, who introduced her to the first informant in August 2021 as a core committee member of Grow Wise Enterprises. It is alleged that the applicant had participated in various investor

seminars where multiple investment schemes were canvassed to potential investors. However, apart from these general allegations, there is no specific attribution to the applicant of having actively induced the informant or any other person to invest in the said schemes. The material placed on record does not reveal that the applicant holds any official designation, such as that of a director, nor is there any documentary evidence to suggest that she is formally associated with the entity wherein the alleged investments were made. It is also not the prosecution's case that the applicant is a recipient or beneficiary of the funds alleged to have been misappropriated. *Prima facie*, the material available on record does not implicate the applicant in the commission of the alleged offence. Furthermore, the learned APP informs that the charge sheet has already been filed against the co-accused and that the investigation *qua* the present applicant is substantially complete.

7. In view of the aforesaid circumstances, this Court is of the considered opinion that the case is a fit one for the exercise of judicial discretion in favour of the applicant. Hence, the following order is passed:

ORDER

- (i) In the event of the applicant's arrest

in CR No.10 of 2024, registered at Sanpada Police Station, Navi Mumbai, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station on 11, 12 and 13 August 2025 between 11:00 a.m. and 2:00 p.m. to provide her bank details and cooperate with the investigation.

(iii) The applicant, herself or through any other person, shall not tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)