AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4040 OF 2024

Renu Brijendrapal Singh ... Applicant
V/s.
The State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.244 OF 2025
IN
BAIL APPLICATION NO.4040 OF 2024

Brijendra Pal Singh ... Applicant
In the matter between
Renu Brijendrapal Singh ... Applicant
V/s.
The State of Maharashtra ... Respondent

Mr. Siddharth Pimpale with Mr. Prashant Bothre i/by Pan India Legal Services LLP for the applicant in BA.

Mr. Rimpal Trivedi with Ms. Harshida Bhanushali, and Mr. Hardik Gajra for the applicant-intervener in IA.

Mrs. Megha S. Bajoria, APP for the respondent-State.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 25, 2025

P.C.:

1. By the present bail application preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS”), the applicant seeks her release on regular bail in connection with Crime Register No. 829 of 2023 registered with Malad Police Station, Mumbai. The said crime has been registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code, 1860 (for short, “IPC”).

2. The prosecution case, in brief, is that the first informant is a well-known producer in the television industry. In the year 2016, the applicant is alleged to have approached the informant by representing that she was running a Non-Governmental Organisation (NGO). In the course of such acquaintance, she gradually developed close relations with the informant. According to the prosecution, at a later point of time, the applicant informed the informant that her husband had expired in 1990 and that she was living alone. Eventually, in September 2019, the informant and the applicant are stated to have got married.

3. It is further the case of the prosecution that, in the year 2019, certain disputes were pending before the Hon’ble Bombay High Court initiated by the daughter-in-law of the informant, subsequent to the death of her husband and the elder son of the informant. On account of his old age and inability to attend to all legal matters, the informant is stated to have executed a Power of Attorney in favour of the applicant, primarily for the purpose of conducting and managing those litigations. However, the allegation is that the applicant, without the knowledge and consent of the informant, subsequently altered and misused the said Power of Attorney.

4. It is also alleged that during the relevant period, the informant’s younger son was living separately and the applicant, by taking undue advantage of her position, transferred an amount of Rs. 3.61 crores from the bank account of the informant into her own account. In respect of this transaction, an FIR bearing No. 28 of 2021 was already registered at Oshiwara Police Station.

5. According to the informant, later on, he discovered that the applicant was in fact already married to one Sikandar Lal in the year 2011 and that the said marriage was still subsisting as no divorce had taken place. This revelation led the informant to believe that the applicant had misrepresented herself and entered into marriage with him only for the purpose of securing unlawful financial benefits. In consequence, on 16th December 2020, the informant, through his advocate, addressed an email to the applicant revoking the Power of Attorney that had earlier been executed in her favour.

6. However, on the very next day, i.e., on 17th December 2020, the applicant allegedly misused the Power of Attorney and executed a gift deed in her own favour in respect of a flat situated at Malad, belonging to the informant. Subsequently, the said flat was sold by the applicant to a third party for a consideration of Rs. 3.50 crores. On coming to know of this transaction, the informant approached this Court by filing Writ Petition No. 22263 of 2021 seeking cancellation of the said gift deed. He also published a public notice in the newspaper intimating about the revocation of the Power of Attorney and, thereafter, lodged the present FIR which has culminated in the registration of the present crime.

7. Learned Advocate appearing on behalf of the applicant-accused submitted that the applicant has been falsely implicated in the present case. It is his contention that the applicant had no knowledge of the email dated 16th December 2020 whereby the informant claims to have revoked the Power of Attorney. According to him, a valid notice of revocation of Power of Attorney is mandatory in law, and the so-called notice relied upon by the informant does not amount to a notice in the eyes of law. He further submitted that the basic ingredients of the offences under Sections 420 and 406 of the IPC are not attracted, inasmuch as there was no dishonest or fraudulent intention at the very inception on the part of the applicant. It is also submitted that for similar allegations relating to non-disclosure of her earlier marriage and transfer of an amount of Rs.3.61 crores, another FIR bearing No.28 of 2021 has already been registered at Oshiwara Police Station. The investigation in the present crime has been completed and charge-sheet has already been filed. Therefore, according to him, further custodial interrogation of the applicant is not necessary. He also pointed out that in the connected FIR relating to transfer of Rs.3.61 crores, the applicant has already been granted bail. On these grounds, he prayed that the applicant deserves to be released on bail in the present case as well.

8. Per contra, the learned APP has strongly opposed the bail application. It is her submission that the applicant is a habitual offender with a long history of fraudulent activities. She has no permanent place of residence in India and has been found to have transferred monies from the bank accounts of several persons. Out of the total alleged amount of Rs.3.50 crores, only Rs.85 lakhs have been recovered or seized so far, while the balance amount is still untraced. It is also submitted that the applicant has a criminal history both in India and abroad, and there exists a real possibility that if she is released on bail, she may abscond by assuming a different identity and flee from the jurisdiction of the Court. Therefore, her release on bail would seriously jeopardize the prosecution case.

9. Learned Advocate appearing for the intervenor also opposed the bail application. It is submitted that the applicant has already been arrested in connection with Crime No.28 of 2021 involving allegations of cheating and criminal breach of trust in respect of an amount of Rs.3.61 crores. The intervenor has placed on record a detailed chart by way of an additional affidavit setting out the antecedents of the applicant, which, according to her, have been deliberately suppressed by the applicant. The said chart discloses that apart from the present case and FIR No.28 of 2021, there are several other criminal cases registered against the applicant at different police stations in India and also serious allegations and proceedings against her abroad, including in Canada. The antecedents span over a period of almost two decades and include multiple FIRs under Sections 420, 406, 409 IPC, proceedings under the Juvenile Justice Act, offences relating to fraud in Canada, proclamation orders for non-appearance, allegations of passport fraud, complaints of financial fraud, as well as instances of filing false criminal complaints which were later withdrawn after settlements.

Sr. No.	Dates	Particulars
1.	20.01.2021 Andheri, Mumbai	FIR No.28 of 2021, offences under Section 420, 406, 409 at Oshiwara Police Station for fraud transaction of Rs.3.61 crores from the Joint account of the complainant to the applicant/accused's solo account and for misusing the revoked power – of attorney and gifting herself 4 properties and making false declarations.
2.	15 April 2016	FIR No.122 of 2016 at Amboli Police Station against the applicant under Section 74 of Juvenile Justice Act of 2015 filed by Children's Welfare Committee
3.	12.11.2016, Zirakpur Chandigarh	FIR No. 368 of 2016 under Section 406, 420 filed against the applicant in Zirakpur, Chandigarh and was arrested. Bail was granted on 20 December 2016 vide order passed by Punjab and Haryana High Court, passport was confiscated by Zirakpur Police
4.	03.12.2018, Navi Mumbai	Criminal case filed by Mr. Rajpal Ramsharan Yadav before the Magistrate Court of Belapur for offence under Section 384, 452, 504 and 34 of IPC with another Misc. Cri. Application No.808 of 2018 and Criminal Revision Application 78 of 2023 against the applicant/accused.
5.	12.07.2019, Zirakpur Chandigarh (She was living in Mumbai with a different Simcard)	Proclamation Order passed by the Punjab Haryana Sessions Court for failing to attend trials while on bail by the Add. Civil Judge Senior Division cum-Sub-Division Judicial Magistrate, Dera Bassi.
6.	2005-06, Brampton and Missisauga, Canada	Newspaper articles against the applicant/accused in Canada for Immigration fraud and as per the news she was arrested in that crime, while already on probation ($60,000-$80,000 CAD). Applicant/accused

		claims she was acting on behalf of some one and was unaware, while the articles clearly mention she acted alone and was arrested. Also, she claims that she started an NGO to complete the social service sentence, while her NGO was established in 2000, not 2005 when she was arrested.
7.	2005-2006, Brampton and Missisauga, Canada	Another article sates that she is wanted for a mortgage related crime ($75,000CAD)
8.	09.07.2012, Ontario, Canada	Immigration Fraud complaint under the company "Allizza Enterprises" on canadavisa.com. A Canada Revenue Agency letter clearly shows the address of applicant/accused's business having exact same address as mentioned in the complaint.
9.	2013 – 2014, Ontario, Canada	Migrated back to Canada and filed for fake disability due to brain injury with Ontario Disab ility Support Program. It is pertinent to note that the Advocate is the same as her defence advocate mentioned in her Affidavit, Adv. Alan S. Blott.
10.	12.02.2015, Canada	The complaint filed for financial fraud by Sikander Lal against applicant/accused of cheating his relatives on pretext of immigration to Trinidad & Tobago
11.	24.10.2022, Kharghar, Mumbai	Complaint filed by Deepak Patel for fraud and cheating against the applicant/accused for Rs.11,03,350/-
12.	19.06.2019, Vashi, Navi Mumbai	Complaint filed by Anish Kumar of serious offence of taking money (Rs.10,68,200) for arranging donor of Kidney against the applicant/accused.
13.	2016	Applicant/accused in possession of an Indian Passport No.I-752753 showing herself as a Single Indian Citizen, with Canadian P. R.

14.	31.10.2016	During the subsistence of marriage with Sikander Lal and prior to the marriage with complainant, the Applicant/accused got married to Balbir Singh Bohra (Common Law Union)
15.	23.03.2017	While out on bail, Applicant/accused made new passport fraudulently citing reason of mutilation on 23.03.2017, merely 4 months within confiscation of passport by Zirakpur Police and fled the Zirakpur Police and fled the country.
16.	22.01.2017, Zirakpur, Chandigarh	False rape case against Pradeep Singh Hundal, turned hostile in Court, settled unofficially out of court for Rs.20 Lakhs.
17.	25.10.2021	False rape case against Police Officer Anil Rokade at D.N. Nagar Police station, settled unofficially outside court and withdrawn unconditionally on date of hearing.
18.	2021, 2023	Influencing Witnesses Janki Selviar Shetty and daughter Kritika Shettiyar, asking them to help with new bank accounts and sim cards in exchange for gifting them a flat in Thane as incentive. The Applicant/Accused used those to abscond before she was arrested. Also, influenced witness Policeman Dnyaneshwar Pawar giving him the Interveners son's iPhone and asking help with the case at Oshiwara Police Station.

10. My attention was also invited to the earlier orders passed by this Court directing the applicant to disclose her antecedents. In compliance, the applicant filed an affidavit dated 13th August 2025, wherein she disclosed only three antecedents in India and one case of immigration fraud in Canada of the year 2005. However, the additional affidavit filed by the intervenor demonstrates that several other serious cases, as set out in the chart, were not disclosed by the applicant. Prima facie, this indicates that the applicant has filed a false affidavit before this Court by suppressing material information regarding her criminal antecedents. On this ground also, the intervenor submitted that the present bail application does not deserve to be allowed and must be rejected.

11. Having heard the learned Advocate for the applicant, the learned APP for the State, and the learned Advocate for the intervenor, and upon considering the material placed on record, this Court is of the opinion that no case for grant of bail is made out in the present matter.

12. The applicant has contended that since the investigation is complete and the charge-sheet has been filed, her further custodial detention is not required. She has also argued that her claim of false implication and ignorance of revocation of Power of Attorney should weigh in her favour at the stage of bail.

13. However, this Court finds that such submissions cannot be accepted in isolation. The Supreme Court in *State of Karnataka v. Sri Darshan* [2025 SCC OnLine SC 1702] has categorically held that the mere filing of a charge-sheet or the existence of a long list of witnesses does not, by itself, justify grant of bail. The Court observed that filing of a charge-sheet does not confer any indefeasible right to bail, nor can the possibility of prolonged trial outweigh the gravity of the offence, the incriminating material collected during investigation, or the real likelihood of tampering with witnesses.

14. In *Kalyan Chandra Sarkar v. Rajesh Ranjan* [(2005) 2 SCC 42], it has already been held that bail cannot be granted solely on the ground of delay in conclusion of trial, without considering the existence of a prima facie case, seriousness of the offence, and the possibility of influencing witnesses. Similarly, in *Brijmani Devi v. Pappu Kumar* [(2022) 4 SCC 497], the Supreme Court emphasised that in serious offences, the possibility of the accused absconding or threatening witnesses must weigh against the grant of bail.

15. The position was reiterated in *Ishwarji Nagaji Mali v. State of Gujarat* [2022 SCC OnLine SC 1290], where the Court held that merely because the case rests on circumstantial evidence is not a ground to grant bail if the investigation has collected sufficient material establishing a prima facie chain of circumstances. The Court further clarified that the High Court's reasoning of "weak evidence" or "deep roots in society" cannot justify bail in serious offences.

16. In *Rahul Gupta v. State of Rajasthan* [(2022) 9 SCC 356], it was further emphasised that once the charge-sheet is filed, the High Court is bound to examine the material collected during investigation to determine if a prima facie case exists, before deciding bail.

17. Thus, the legal position is crystal clear: neither filing of the charge-sheet, nor pendency of trial with a long list of witnesses, nor the prospect of delay in conclusion of trial, can be treated as standalone grounds to grant bail in serious offences involving fraud of large magnitude.

18. Applying these principles to the facts of the present case, this Court is satisfied that the material gathered during investigation, coupled with the antecedents of the applicant and her past conduct of absconding and misusing legal processes, demonstrates that she cannot be released on bail merely because investigation is over.

19. In the present case, the allegations are not small or casual. They relate to organised cheating and criminal breach of trust involving crores of rupees, wrongful use of Power of Attorney, and transfer of valuable immovable property. These are serious offences which directly affect financial dealings and property transactions. The defence taken by the applicant that she had no knowledge of revocation of the Power of Attorney is a matter which can only be tested at the time of trial by leading evidence. At this stage, when the record shows prima facie that the applicant executed a gift deed in her own favour after revocation was already communicated, her plea of ignorance cannot be accepted straightaway for deciding bail.

20. When the antecedents of the applicant are examined, it becomes clear that she has been involved in several similar offences earlier, both in India and abroad. Hence, her plea that she is falsely implicated in this case does not appear convincing. The Court cannot ignore the pattern of her past conduct which clearly shows repeated fraudulent dealings and suppression of material facts.

21. Therefore, even if the investigation is complete and the charge-sheet is filed, it does not remove the larger concerns of this Court regarding her antecedents, the seriousness of the allegations, and the genuine risk of her misusing liberty if released on bail.

22. The record before this Court also shows that the applicant is not a first-time offender. On the contrary, she has a long list of criminal antecedents both within India and outside, which have been brought on record through the additional affidavit filed by the intervenor.

23. These antecedents are of a very serious nature. They are not one-off or isolated incidents but involve repeated accusations of cheating, criminal breach of trust, and fraudulent dealings with huge sums of money. The material also shows misuse of passports, obtaining multiple identities, influencing witnesses and even approaching law enforcement personnel. In some cases, proclamation orders had to be issued against her as she failed to attend trial while on bail. All these facts do not show mere suspicion, but establish a consistent pattern of fraudulent and dishonest conduct running over many years and across different places, both in India and abroad. Thus, when all these facts are seen together, it is evident that the applicant is facing multiple prosecutions and has shown a clear tendency to manipulate legal processes and evade justice. Granting bail in such circumstances would not only affect the fairness of the trial but also send a wrong signal in cases of serious financial fraud.

24. The additional affidavit filed by the intervenor places on record a detailed chart of the applicant's criminal antecedents, both domestic and foreign. A careful look at this chart shows that the applicant has been involved in several criminal cases over a long period and at different places. Importantly, most of these cases were not disclosed by the applicant in her affidavit dated 13th August 2025, even though this Court had specifically directed her to make a full and honest disclosure.

25. The chart shows that on 20th January 2021, FIR No.28 of 2021 was registered at Oshiwara Police Station, Andheri, Mumbai for offences under Sections 420, 406 and 409 IPC. The allegations in that case were of fraudulent transfer of Rs.3.61 crores from the complainant's joint account to the applicant's personal account, and misuse of a revoked Power of Attorney to gift herself four properties and make false declarations.

26. It is further shown that on 15th April 2016, FIR No.122 of 2016 was registered at Amboli Police Station under Section 74 of the Juvenile Justice Act, 2015 on the complaint of the Children's Welfare Committee. Similarly, on 12th November 2016, FIR No.368 of 2016 was lodged at Zirakpur, Chandigarh under Sections 406 and 420 IPC, in which the applicant was arrested. Though she was granted bail by the Punjab and Haryana High Court on 20th December 2016, her passport was confiscated by Zirakpur Police.

27. The record also shows that on 3rd December 2018, a criminal case was filed against her before the Magistrate Court at

Belapur, Navi Mumbai, under Sections 384, 452, 504 read with Section 34 IPC. On 12th July 2019, the Sessions Court at Zirakpur, Chandigarh had to issue a proclamation order against her for failing to attend trial while on bail, thereby declaring her as an absconder.

28. The antecedents are not confined to India alone. Records and newspaper articles from Brampton and Mississauga, Canada, during 2005–2006, show her involvement in immigration fraud and mortgage-related offences, with arrests and probation orders involving amounts between $60,000–$80,000 CAD. It is also alleged that she established an NGO not for genuine purposes but to complete social service sentence connected to those cases. Further, there is a complaint of immigration fraud in 2012 under the company name “Allizza Enterprises” at Ontario, Canada, supported by a Canada Revenue Agency letter showing her address. Between 2013–2014, she allegedly claimed fake disability benefits under the Ontario Disability Support Program. In 2015, a complaint was filed by one Sikander Lal alleging financial fraud on the pretext of immigration to Trinidad & Tobago.

29. The Indian records also include a complaint dated 24th October 2022 at Kharghar, Navi Mumbai, by one Deepak Patel alleging cheating of Rs.11,03,350/-, and another complaint dated 19th June 2019 at Vashi, Navi Mumbai, by one Anish Kumar alleging cheating of Rs.10,68,200/- for arranging a kidney donor. It is also revealed that in 2016 she was found with an Indian passport showing her as a single citizen, despite her subsisting marriage and Canadian Permanent Residency.

30. It is further shown that on 31st October 2016, during the subsistence of her marriage with Sikander Lal and before her alleged marriage with the complainant, she contracted another marriage with one Balbir Singh Bohra. On 23rd March 2017, while out on bail and only four months after her passport was confiscated by Zirakpur Police, she is alleged to have fraudulently obtained a new passport citing mutilation and absconded.

31. The antecedents also show that she filed false rape cases, one on 22nd January 2017 against Pradeep Singh Hundal at Zirakpur, which was later settled out of Court for Rs.20 lakhs, and another on 25th October 2021 against Police Officer Anil Rokade at D.N. Nagar Police Station, which was withdrawn unconditionally on the date of hearing.

32. Finally, the record reveals that during 2021 and 2023, she attempted to influence key witnesses, including one Janki Selviar Shetty and her daughter Kritika Shettiyar, by offering them a flat in Thane in exchange for opening new bank accounts and SIM cards. She also influenced a police constable by gifting him an iPhone to secure help in the Oshiwara Police Station case.

33. Taking an overall view of these antecedents, a clear pattern emerges of fraudulent conduct, misuse of legal processes, manipulation of identity, and inducement of witnesses. The failure to disclose these cases in her affidavit before this Court prima facie shows that the applicant has acted without good faith and has tried to mislead the Court while seeking bail.

34. From the record it is clear that a major portion of the money alleged to have been misappropriated by the applicant is still not traced or recovered. Out of the total amount, only a small part has been seized, while the remaining amount is unaccounted for. In such a situation, the apprehension of the prosecution that if the applicant is released on bail she may dissipate or conceal the remaining amount cannot be treated as a mere assumption.

35. This Court also finds force in the submission of the prosecution that there is a real and serious risk of the applicant absconding or tampering with the evidence. Her past conduct supports this apprehension. The record shows that she has previously obtained fraudulent passports, changed her identity, and misused legal processes to escape the course of justice. In fact, in some cases proclamation orders had to be issued because she failed to appear during trial even while on bail.

36. The settled law on bail is that the Court must consider not only the seriousness of the offence and the material collected, but also whether there is a likelihood of the accused fleeing from justice or interfering with the investigation or trial. As held by the Supreme Court in *State of U.P. v. Amarmani Tripathi* [(2005) 8 SCC 21], the possibility of the accused fleeing from justice or repeating the offence are relevant factors for rejecting bail. Similarly, in *Neeru Yadav v. State of U.P.* [(2014) 16 SCC 508], it was stressed that the antecedents and past conduct of the accused must be carefully examined, since they show whether the accused is likely to follow or flout the conditions of bail.

37. When these principles are applied to the present case, the past behaviour of the applicant, such as obtaining passports fraudulently, living under different identities, and attempting to influence witnesses, provides strong reason to believe that if she is released on bail, she may not remain available for trial and may also frustrate the recovery of the remaining misappropriated money.

38. Therefore, the apprehensions expressed by the prosecution are not imaginary but are well supported by the applicant's own past conduct. Granting bail in such circumstances would amount to taking a serious risk with the proper course of justice, which this Court is not prepared to do.

39. Bail is a matter of judicial discretion and not an absolute right, particularly in cases of grave offences of cheating and criminal breach of trust of such magnitude. The Court is required to balance the right of personal liberty of the accused with the larger interest of society. Considering the antecedents of the applicant, the repeated pattern of her conduct, the suppression of material facts, and the real possibility of her absconding, this Court is satisfied that her release on bail at this stage would not serve the interest of justice.

40. In view of the above discussion, this Court is of the considered opinion that the applicant does not deserve to be enlarged on bail.

41. The Bail Application stands rejected.

42. The interim application also stands disposed of in terms of this order.

43. Needless to clarify, the observations made herein are confined only for the purpose of deciding this bail application and shall not affect the merits of the trial.

(AMIT BORKAR, J.)