



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(BA) NO. 298 OF 2025

Vaishali Vishwanath Shettigar @ Vaishali Sudarshan Yennewar
Vs
State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.S.V. Sirpurkar, counsel for the applicant.
Ms.T.H.Udehsi, APP for the State.
Ms.Sunita Kulkarni, counsel to assist the prosecution.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 26/09/2025

1. Heard.
2. By this application, applicant has prayed for regular bail in Crime bearing No.177 of 2024 registered at Ganesh Peth Police Station, Nagpur City for the offences punishable under Sections 420,406,465,467,468,471,120-B,384,386 and 506 r/w Section 34 of the Indian Penal Code.
3. The prosecution case in nut shell is as under:-

The complainant along with other accused has hatched the conspiracy and had lured him and his relatives

on the pretext of providing the job to the relatives in Income Tax Department and double the amount invested in the investment plants. Since, 2018 to 2023, the present applicant had on various occasions for some or the other reason taken money from complainant either in cash or through online transfer, cheated him and duped him for Rs.3,17,00,000/-. On the basis of said complaint, the crime came to be registered against the present applicant and co-accused.

4. The learned counsel appearing for the applicant has stated that the applicant is a lady. She is having two kids, one is of 8 years of age and another is of four years of age. She is having gynaecological problems, she was referred to the hospital while in jail and was advised for uterus surgery.

5. The applicant has not committed any offence. The co-accused is already released on bail. The applicant is in jail, since last near about one year. Hence, the ground of parity is available. The learned counsel for the applicant has relied on the judgment of the Hon'ble Apex Court in the case of ***V. Senthil Balaji Vs. Deputy Director, Directorate of Enforcement*** reported in ***2024 SCC OnLine SC 2626***, wherein the Hon'ble Apex Court has observed about the grant of bail, when there is delay in trial. He has also

relied on the judgment in the case of ***Manish Sisodia Vs. Directorate of Enforcement***, reported in (2024)12 SCC 660, in support of his argument that expedite disposal of the trial is warranted for granting the bail hence considering her medical problem and her small kids, who need their mother, prayed to release her on bail.

6. Learned APP opposed the application stating that the entire transaction was through the account of this applicant and this applicant has transferred the amount to the co-accused Mr. Reddy, who is still absconding. The HDFC pass book, Bank of India Pass Books, Cash deposit Slips, Cheque Book Mobile Phones, are seized and from it her active role is proved. The applicant was treated in jail for her health issue. Now there is no any health issue. The applicant has forged the documents like medical certificates recruitment letters of income tax department. She is responsible and liable for the said criminal act of forgery and cheating. Considering the role played by this applicant, prayed to reject the application.

7. Heard both sides.

8. The applicant can not take advantage of her womanhood. *Prima facie* it appears that her involvement in

crime is seen. She has collected the money by giving false promises to give job in income tax office and has forged the Government Documents by issuing the letters, using e-mails of said office.

9. I have considered the judgments filed by the applicant. If there is delay in trial, then the accused is entitled for bail. The charge-sheet is filed in this case, she was arrested on 10.05.2024 soon the trial will be initiated. After considering the material against her it appears that *prima facie* case is made out against the applicant. Hence, this is not a case to release the applicant on bail.

10. Hence the application stands rejected.

JUDGE