



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

CRIMINAL APPLICATION (ABA) NO. 61 OF 2025

Archana Charuhas Pofley & Anr.

Vs.

State of Maharashtra, through PSO, P.S. Saoner, Nagpur Rural

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. H.J. Khandwani, Advocate for the Applicants.

Mr. M.K. Pathan, APP for the Non-applicant.

CORAM : G. A. SANAP, J.

DATED : 11th FEBRUARY, 2025.

1. Heard the learned advocates for the parties.

2. This is an application for anticipatory bail by the applicants/accused Nos.4 and 5 in Crime 934/2024, registered with Police Station, Saoner, Nagpur (Rural) for the offences punishable under Sections 406 and 34 of the Indian Penal Code, 1860 (for short, "IPC").

3. Learned advocate would submit that the main accused Charuhas Pofley has been arrested. Learned advocate would submit that perusal of the FIR would show that the main allegation is against Charuhas Pofley. No specific role has been attributed to Archana Charuhas Pofley except the transfer of Rs.2,000/- in Archana's bank account and Rs.10,000/- in Simran's bank account. Learned advocate would submit that they are ready to abide the conditions that may be imposed by this Court. It is submitted that they may be granted protection from arrest.

4. Learned APP would submit that the main accused has been arrested on 06.02.2025. Learned APP took me through the FIR and demonstrated that the main accused is Charuhas Pofley. He has also highlighted the minor role played by accused Nos.4 and 5.

5. I have gone through the record and proceedings. Learned advocate for the applicants would submit that, considering the nature of the allegations against the applicants, in case of granting protection from arrest, they may be directed to attend the police station as and when called by the police. In this case, the main allegation is against Charuhas Pofley. The applicants are his wife and daughter, respectively.

6. On perusal of the FIR, in my view, *qua* custodial interrogation their arrest may not be necessary. They have stated that they are ready to assist the police in the investigation.

7. In view of the above, I am satisfied that this is a fit case for exercising the discretion in their favour and grant them protection from arrest. Hence, the following order:

ORDER

i] The application is **allowed**.

ii] In the event of arrest of the applicant/accused No.4 – Archana Charuhas Pofley and the applicant/accused No.5 – Simran Charuhas Pofley in Crime 934/2024, registered with Police Station, Saoner, Nagpur (Rural) for the offences punishable under Sections 406 and 34 of the IPC, they be released on bail on their furnishing P.R. bond in the sum of

Rs.25,000/- (Rs. Twenty Five Thousand) each with one surety in the like amount.

ii] The applicants shall not, in any way, tamper with the prosecution evidence.

iii] The applicants shall not pressurize or threaten the prosecution witnesses.

iv] The applicants shall attend Police Station, Saoner, Nagpur (Rural) as and when summoned by the Investigating Officer.

v] The applicants shall co-operate the Investigating Officer.

8. The application stands disposed of in the above terms.

(G. A. SANAP, J.)

Vijay