



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

CRIMINAL APPLICATION (ABA) NO. 415 OF 2025

(Kanchan w/o Gautam Deshbratar

Vs.

State of Maharashtra, Thr. P.S.O. Wardha (City), Dist. Wardha)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.V. Rai, Advocate for the Applicant.

Ms. Trupti Udeshi, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 18th JUNE, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.727/2025 registered with Police Station Wardha, District Wardha for the offences punishable under Sections 120-B, 211, 406, 409, 420, 464, 468 and 471 of the Indian Penal Code, the Applicant approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicant submitted that the crime is registered on the basis of the report lodged by Naresh Tukaram Kamble on an allegation that the Applicant alongwith her husband and other family members were running ponzi scheme by name Jai Bhim Brothers and Sisters Business Fund. They have enticed many investors to invest money in their scheme. Many investors participated and invested money in different units. The informant Naresh Kamle invested the amount of Rs.84,060/-. Though the informant and the other investors were lured on

promise that they would get handsome income but they have not received the income and the investors have totally cheated for an amount of Rs.20,44,885/. On the basis of the said report police have registered the crime against the present Applicant and other co-accused.

3. Learned Counsel for the Applicant submit that the entire allegations are levelled against the co-accused and not the present Applicant. As far as the her role is concerned which is only to the extent that some cheques are issued from her account. Except that there is no allegation levelled against her, and therefore, her custodial interrogation is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said Application on the ground that since the date of offence the Applicant is absconding. The general diary entries pointed out by her to show that though the investigating officer has visited multiple occasions at the house of the present Applicant but she was not found at the given address. She further pointed out from the investigation papers that during the house search panchnama various documents are seized from the house including bogus documents and blank cheques and on the basis of the said blank cheques proceedings under Section 138 of the N.I.Act are initiated against various investors. Thus the investors have not only lost the money but they are also facing the prosecution due to the misuse of the said blank cheques by the present Applicant and other co-accused. In view of that, her custodial interrogation is required and the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, the general diary entries shows that the investigating officer has visited multiple occasions at the house of the present Applicant but she was not found at the given address and she shown to be absconding. During investigation the investigating officer has also visited the house of the present applicant and drawn the seizure panchnama and during the seizure panchnama various documents are seized from the house as well as bogus documents and blank cheques. The submission of the learned APP that on the basis of the blank cheques, various proceedings are initiated against the investors, is substantiated by the investigation papers. Thus, considering the *modus operandi* of the present Applicant and other family members, her custodial interrogation is required. In view of that, the Application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

i. The Application is **rejected**.

6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)