IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2173 OF 2026

Manpreet Kaur …Applicant

Versus

The State of Maharashtra And Anr. …Respondents

Adv. Karma Vivan a/w Adv. Subhanwith Ghosh i/b Adv. Yash Awalkanthe, for Applicant.

Mrs. Geeta P. Mulekar, A.P. P., for Respondent – State.

Adv. Prateek Sakhalkar (Through V. C.), for Respondent No. 2.

API Bhalchandra Shinde, Borivali Police Station, Mumbai, is present.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 7TH OCTOBER 2026

P. C:-

1. Heard learned counsel for the applicant as well as learned APP for the respondent – State and learned counsel for respondent no. 2.

2. The applicant has filed the instant application under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (for short **"BNSS"**) seeking pre-arrest bail in connection with Crime No. 560 of 2026 dated 07.04.2026, registered with Borivali Police Station, Brihanmumbai, for the offence under Sections 318 (4)

read with 3(5) of The Bharatiya Nyaya Sanhita, 2023 (for short **"BNS"**).

3. The allegations in the FIR are that during the period from 12th August, 2024 to December 2025, the company of this applicant has failed to return an amount of Rs. 23,08,476/- to the informant which was on amount of transactions for courier of certain goods in and out of India. It is alleged that on account of non-payment of this amount, the complainant has been cheated.

4. Learned counsel for the applicant submits that the transactions on behalf of the company of the applicant are part of the regular commercial activities and there is nothing to indicate any inducement since inception to cheat the complainant. The applicant is merely a partner in the company and inducement to cheat the complainant if any, was done by co-accused Imran, who was arrested and released on bail. Learned counsel submits that there is no question of recovery from this applicant as the charge sheet is already filed. He further submits that applicant has attended the police station in accordance with interim order dated 20th August 2026 and thus, prays for confirmation of interim protection order.

5. Learned APP for the respondent – State opposes the application by stating that there are allegations about the role played by this applicant and other accused persons, who are partners in the company and further that the allegations of non-payment of the amount of Rs. 23,08,476/- are specific. She further submits that there are criminal antecedents against this applicant and custody of this applicant is necessary for further investigation.

6. Perused the FIR and the documents placed on record. The allegations in the report clearly shows that the transaction is civil in nature and there is nothing to indicate at this stage, any intention to deceive since beginning. It appears that the complaint is lodged merely for the purpose of recovery of the balance amount and the civil transactions is given colour of the criminal offence. Further, since chargesheet is filed there is no question of any recovery from this applicant. Pertinent to note, after interim protection was granted, there is nothing on record to indicate that this applicant has misused the liberty, thus the custodial interrogation of this applicant does not appear to be necessary.

7. Considering all the above aspects, the personal liberty

of this applicant needs to be protected and hence, the interim protection granted to the applicant earlier needs to be confirmed, subject to certain conditions.

8. Hence, I pass following order :-

ORDER

(i) The Anticipatory Bail Application is allowed.

(ii) In the event of arrest of this applicant in connection with Crime No. 560 of 2026 registered with Borivali Police Station, Brihanmumbai, for the offence punishable under Sections 318(4) read with 3(5) of The Bharatiya Nyaya Sanhita, 2023, she be released on bail on furnishing P. R. Bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of the like amount.

(iii) The applicant is directed to attend the Police Station as and when called upon by the investigating agency and shall cooperate during investigation and trial.

(iv) The applicant shall not tamper with the prosecution evidence or influence the informant or any other prosecution witnesses, in any manner.

(v) The applicant is directed to disclose all the transactions made by her through her company.

(vi) Breach of any of these conditions, shall be a ground for cancellation of the bail.

(vii) The Investigating Officer is directed to send notice prior to one week to the applicant for attending the police station.

(viii) The applicant shall not leave India without permission of this Court

9. In view of this, the instant Anticipatory Bail Application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)

VDMokal/-