Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4832 OF 2026

Priyanka Sandip Salunkhe .. Petitioner

Versus

State of Maharashtra & Anr. .. Respondents

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- Mr. Aniket Vagal a/w Ms. Savvy Kolhekar & Ms. Juhi Kadu, Advocate for Petitioner
- Ms. Shilpa G. Talhar, APP for State

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 22, 2026

P. C.:

1. Heard Mr. Vagal, learned Advocate for Petitioner and Ms. Talhar, learned APP for State.

2. The Petitioner is arraigned as accused No. 2 in the present offense. Complainant lodged a report that he wanted to secure a government job and was referred to the accused No. 1 by one of his friends who was a driver working for a political leader. When the Complainant approached accused No. 1, he was allegedly informed that he will have to deposit Rs. 9 Lakhs in order to secure a job in the railways which the accused No. 1 could arrange for him. Relying on the assurance given by accused No. 1, the Complainant deposited an amount of Rs. 50,000/- and Rs. 2,00,000/- in two tranches in the bank account of accused Nos. 1 and 4.

3. The allegation against the present Petitioner is that she being the wife of accused No. 1 was present when the Complainant in the year 2019 had approached the accused No. 1 for discussing the aforementioned proposal. The record which is unearthed by the prosecution post-investigation *prima facie* shows that the amount of Rs. 2,50,000/- has been paid by the Complainant to accused Nos. 1 in his bank account. Indictment of the present Petitioner is solely based on the fact that the bank account of accused No. 1 was held in joint names where the second name was that of the Petitioner. There is no material which is placed on record which *prima facie* shows any incriminating act attributable to the present Petitioner or the Petitioner having played any active or even for that matter passive role in aiding the accused No. 1 who was her husband in the present offense. Neither she is the beneficiary of any amount.

4. On perusal of the entire material placed on record, it is *prima facie* seen that only grievance and charge against the Petitioner is that she was part of all 4 accused persons to have given assurance of return of the money. However, there is absolutely no material placed on record to show any such specific act nor there is any mention of any such specific act which *prima facie* shows that Petitioner had played any role whatsoever in giving assurance to the Complainant. It is seen that accused Nos. 1 and 4 are the main accused persons. Even

according to the prosecution case the details of which are placed on record, it is *prima facie* seen that save and except the amount of Rs. 2,50,000/- which have been received in the joint account held by Petitioner with accused No. 1, rest of the amount i.e. Rs. 5,50,000/- has been deposited in the bank account of accused No. 4.

5. It is seen that the accused No. 1, husband of the Petitioner had two bank accounts where he received the above amounts. He also received another amount of Rs. 50,000/- in his Axis Bank account, which was held in the name of another firm called 'Privilege Enterprises'. Charge against the accused is that they had also committed forgery by preparing false and bogus appointment letters for railway recruitment and had issued them in the name of the Complainant. However, the investigation *prima facie* shows that no role is attributable to the Petitioner save and except to the extent of the aforesaid receipt of the amount of Rs. 2,50,000/- in the bank account held by her jointly with her husband. In that view of the matter, even assuming for the sake of argument that the present case is prosecuted, there is no semblance of a chance of the Petitioner being convicted merely on the basis of the aforesaid material which is placed on record by the prosecution to indict the Petitioner. In that view of the matter, the Petitioner has made out an arguable case for

exoneration. Hence, Petition stands allowed in terms of prayer clause(a) which reads thus:-

> *"a) The chargesheet in RCC No. 283 of 2022 pending before Civil Judicial J.D. and JMFC Satana may kindly be quashed and set aside "*

6. It is made clear that the chargesheet and the FIR is quashed *qua* the Petitioner only and not the other accused persons though the above prayer is allowed by the Court and it shall be read as applicable to accused No. 2 i.e. Petitioner only.

7. Petition is allowed and disposed.

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[MILIND N. JADHAV, J.]

RAVINDRA MOHAN AMBERKAR

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