

MHCC050064112022



**IN THE COURT OF SESSIONS AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI**

**ANTICIPATORY BAIL APPLICATION NO.1920 OF 2022**

**IN**

**(Crime No.315 of 2022 of Dindoshi Police Station )**

**(1) Pooja Ravi Alkunte**

Age : 30 Years, Occ : Service

**(2) Renuka Ravi Alkunte**

Age : 28 Years, Occ : Service

Both R/at B/4, Building No.4,

Vadari Pada, Dhanaji Wadi,

Rani Sati Marg, Behind Shah,

Arcade Tower, Malad (East), Mumbai – 400097.

**..Applicant**

**Vs**

**State of Maharashtra**

(Through Sr. Inspector of Police,  
Dindoshi Police Station, Mumbai )

**..Respondent**

Ld. Advocate Nihal Mansuri for the applicant.

Ld. APP Smt. Poornima Chauhan, for the State.

**CORAM : SHRI A.R. QURESHI  
ADDITIONAL SESSIONS JUDGE,  
COURT ROOM NO.06.**

**DATE : 19<sup>th</sup> December, 2022**

**ORAL ORDER**

1. Applicants, (1) “Pooja Ravi Alkunte”, (2) “Renuka Ravi Alkunte,” have moved this application u/sec.438 of Cr.P.C. for releasing them on

anticipatory bail in connection with Crime No.315 of 2022 of the offences u/sec.353, 506 r/w.34 of Indian Penal Code, registered with Dindoshi Police station, Mumbai.

2. Read application. Heard argument of learned counsel for applicant Shri. Mansuri and learned APP Smt. Poornima Chauhan for respondent/state at some length.

3. Learned counsel for the applicant submits that both the applicants are young ladies/women. Charge-sheet is already filed and rest of the 2 accused are released on regular bail. Hence, submitted to release the applicants on anticipatory bail as nothing remains about recovery and discovery, no custodial interrogation is required.

4. Learned APP Smt. Poornima Chauhan for the respondent/state strongly opposed this application with contention that charge-sheet is filed against rest of the accused who have been released on regular bail. In-fact name of the present applicant required to be mentioned in the charge-sheet showing that in respect of all this present applicants investigation is required to be done.

5. Learned counsel for the applicant relied on following rulings.

*(1) Gushan Kumar Vs. State Govt of Nct of Delhi, order passed by Hon'ble Delhi High Court, decided on 28.11.2018 - AIROnline 2018 Del 2249 – Online copy.*

*(2) Shekhar @ Mukesh Sanadi Vs. The State of Maharashtra, order passed by Hon'ble Bombay High Court in LD VC ANTICIPATORY BAIL APPLICATION NO.37 OF 2020, decided on 05.05.2020 – Online copy.*

*(3) Shekhar @ Mukesh Sanadi Vs. The State of Maharashtra, order passed*

*by Hon'ble Bombay High Court in ANTICIPATORY BAIL APPLICATION (ST) No.5489 of 2020, decided on 25.02.2022 – Online copy.*

*(4) Ms. Salma Mukhtar Shaikh Vs. State of Maharashtra, order passed by Hon'ble Bombay High Court in CRI. ANTICIPATORY BAIL APPLICATION NO.2013 OF 2018, decided on 28.09.2018 – Online copy.*

I have gone through aforesaid ruling carefully and considered as valuable guideline for me to decide this application on merit.

6. Learned APP for the State relied on following ruling -  
*G. R. Anand Babu Vs. State of Tamil Nadu and Ors., order passed by Hon'ble Supreme Court of India in Cri. A. No.84 of 2021 (S.L.P.(Cri)No.213 of 2021) – decided on 28.01.2021 - Online copy.*

I have gone through aforesaid ruling carefully and considered as valuable guideline for me to decide this application on merit.

7. No doubt charge-sheet came to be filed in the court of law. The report of the IO/say of prosecution vide Exh.2 shows that near about thorough investigation is completed. Nothing remains about recovery and discovery. As such prima facie it appears that no custodial interrogation of the applicant is required as offence is only in respect of section 353 of Indian Penal Code. In the circumstances, I am inclined to allow this anticipatory bail application u/sec.438 of Cr.P.C. to release the applicants on anticipatory bail in the event of arrest. Hence, application deserves to be allowed. Accordingly, I proceed to pass following order.

#### **ORDER**

1. Anticipatory Bail Application No.1920 of 2022 u/sec.438 of Cr.P.C. as filed by the applicants (1) **Pooja Ravi Alkunte** (2) **Renuka Ravi Alkunte**, in connection with Crime No.315 of 2022 for the offences

punishable u/sec.353, 506 r/w.34 of Indian Penal Code, registered with Police station Dindoshi, Mumbai is hereby allowed as follows :-

2. Applicants **(1) Pooja Ravi Alkunte (2) Renuka Ravi Alkunte**, shall be released on anticipatory bail on executing P.R. Bond and Surety Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each in the event of arrest on the following conditions.

i) Applicants shall not flee away from the justice.

ii) Applicants shall not leave India without prior permission of the court.

iii) Applicants shall furnish and produce his identity proof with full and correct permanent address with his mobile number, and/or change of residence or mobile details if any from time to time to the investigating officer.

3. Anticipatory Bail Application no.1920 of 2022 is disposed of accordingly.

4. Order pronounced in Open Court.

5. Proceeding closed.

6. Parties to act upon the copy of roznama duly authenticated by Court Sheristedar.

Dt. 19/12/2022

Dictated on : 19/12/2022

Transcribed on : 19/12/2022

Corrected on : 20/12/2022

Signed on : 20/12/2022

( A. R. Qureshi)  
Additional Sessions Judge,  
Borivali Div.,Dindoshi, Mumbai

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”

Date : 20/12/2022

Time : 12.05 P.M.

UPLOAD DATE AND TIME

Ms. R. A. Monde

(Stenographer Grade-I)

NAME OF STENOGRAPHER

Name of the Judge (with Court room no.)	HHJ A. R. Qureshi (C.R.No.6)
Date of Pronouncement of JUDGMENT/ORDER	19/12/2022
JUDGMENT/ORDER signed by P.O. on	20/12/2022
JUDGMENT/ORDER uploaded on	20/12/2022