

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.527/2022

PEMA TOPGYAL WANGAMO

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rahul Chauhan a/w. Adv. Hrishikesh Pawaskar i/b. Adv.
A. K. Chauhan for the applicant.

Mr. S. V. Gavand, APP for State.

PI Sujitkumar Gunjkar, Cyber Cell, MBVV.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 25, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 419, 420, 406 read with 34 of the
Indian Penal Code (hereafter 'IPC' for short) read with
Sections 66(c) and 66(d) of the Information Technology Act,
registered vide First Information Report (FIR) No.I-419/2021
with Navghar Police Station, Thane.

3. The applicant is a woman. It is alleged that she was a
director of a company called as 'M/s. Lorfly Technology Pvt.

Digitally
signed by
DIKSHA
DINESH
RANE
Date:
2023.01.27
14:28:29
+0530

Ltd.'. Learned counsel for the applicant, however, submitted that there is nothing on record to show that the applicant is a director. It is submitted that she was not beneficiary of any of the amount. The applicant is in custody since June 26, 2021, for a period of almost 1 year and 7 months. The allegation is that the company floated an App called as 'Power Bank'. The investors were assured returns if they deposited monies in this App. It is alleged that the company operated in six States where several investors have been duped. So far as the applicant is concerned, it is alleged that her responsibility is to the extent of Rs.2,80,247/-. Learned counsel for the applicant submitted that the applicant is willing to deposit Rs.2,80,247/- with the jurisdictional Magistrate within a period of four (4) weeks from the date of her release without prejudice to her rights and contentions. Statement is accepted as an undertaking to this Court. The applicant to abide by the statement.

4. As indicated earlier, the applicant is in custody for 1 year and 7 months. The investigation is complete and the charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant

has been granted bail by the Courts at Bangalore and Dehradun. There were similar allegations made on the same set of grounds. In this view of the matter, the present application is allowed. Hence the following order.

ORDER

- (a) The application is allowed.
- (b) The applicant- Pema Topgyal Wangamo in connection with FIR No.I-419/2021 with Navghar Police Station, Thane, shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall report to the Investigating Officer of the concerned police station once in a month on every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish her contact number and residential

address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant to handover the passport to the Investigating Officer.

(g) The applicant shall not leave country without prior permission of the trial Court.

5. The application is disposed of.

(M. S. KARNIK, J.)