

MHLA010014342026



**Criminal Bail Application No.
311/2026**

**Poonam Subhash Gaware Vs State of
Maharashtra**

(A) Case Details

FIR Number & Date	242/2026 dtd. 19/04/2026
Police Station, District & State	Gandhi Chowk, Latur, Dist. Latur, State - Maharashtra
Sections invoked	Under Ss. 316(2), 318(3), 3 (5) of B.N.S.
Maximum punishment prescribed	316 (2) of BNS – imprisonment upto 5 years 318(3) of BNS – imprisonment upto 5 years

(B) Custody & Procedural Compliance

Date of Arrest	06/05/2026
Total period of custody undergone	1 month 5 days

(C) Status of Trial

Stage of proceedings (Investigation/ charge sheet/ cognizance/ framing of charges/ trial	Investigation
Total Number of witnesses cited in the charge-sheet	N.A.
Number of prosecution witnesses examined	N.A.

(D) Criminal Antecedents

FIR No. and Police Station	Nil
Sections	N.A.
Status (Pending / Acquitted Convicted)	N.A.

(E) Previous Bail Applications

Court	Nil
Case No.	Nil
Outcome of case	Nil

(F) Coercive Processes

Whether any Non-Bailable Nil

warrant was issued

Whether declared a proclaimed Nil

offender

ORDER BELOW EXH.1

The applicant has filed application for grant of bail under Section 483 of the B.N.S.S. in connection with Crime No.242/2026 registered with Police Station, Gandhi Chowk, Latur, Dist. Latur for the offence punishable under Sections 316(2), 318(3) of B.N.S.

2. According to advocate of applicant, the applicant has not committed alleged offence. She has been falsely implicated in this crime. There are allegations against accused nos.1 & 2 in FIR who allegedly cheated the informant. Present applicant did not induce the informant. She did not cause any wrongful loss to informant and wrongful gain to herself. No any amount came to be transferred in her account by the informant. The only allegations against applicant in the FIR is that the applicant delivered six liters of oil and collected an amount of Rs.60,000/- from him. The other allegations against applicant are that she is the agent of accused Nos.1 & 2.

3. Further according to advocate for applicant, the applicant is no more required for the purpose of investigation. She is in judicial custody since 06.05.2026. Nothing more is to be seized or recovered from his possession. She is a local resident of Pune. She does not have any criminal antecedents. She has a small child dependent on her. She is ready to abide by all terms and conditions which may be imposed on her by this Court for grant of bail. Hence, her advocate

prayed that the applicant be granted bail.

4. Present application has been strongly opposed by A.G.P. and I.O. and the informant on the ground that offence alleged against applicant are very serious and that it is a matter of financial fraud wherein the informant has been defrauded with an amount of about Rs.30,00,000/- by accused nos.1 to 3. In a very planned and systematic way the accused persons have cheated the informant and made him deposit the said amount in parts in different accounts. The said amount is yet to be seized and recovered. The accused nos.1 & 2 are still absconding. The present applicant is directly known and associated with them. She delivered oil to informant on behalf of accused Nos.1 & 2 and collected money from the informant. The applicant has direct nexus with accused nos.1 & 2 and has played active role in the commission of the offence. If applicant is released on bail, the other three accused will never be apprehended. The applicant knows about the whereabouts of accused Nos.1 & 2. There is prima facie evidence against the applicant to connect her with the given crime. Bail application of applicant has been rightly rejected by the concerned Magistrate. The investigation is in progress. Hence, it is prayed that the application be rejected.

5. Heard both sides. Perused the investigation papers. For the offences registered against the applicant, the maximum punishment is imprisonment upto 5 years. As per allegations in FIR and the investigation papers it prima facie reveals that the only role played by applicant in the given crime is that she delivered 6 liters of oil to informant and collected money from him on behalf of accused Nos.1 & 2. Other than this there are no allegations or evidence

against the applicant.

6. The applicant is in judicial custody since 06.05.2026. From the say of I.O. it does not appear that she would be required anymore for custodial interrogation. There are no criminal antecedents against the applicant. She is a lady. Her child is dependent on her. She is ready to abide by all terms and conditions subject to which bail is granted to her. She appears to be permanent resident of District Pune. In catena of judgments the Hon'ble Apex Court has reiterated that bail is rule and jail is an exception. No justified grounds raised by the prosecution to justify rejection of this application. It would not be justified to detain the applicant behind bars till the end of trial. Hence, in view of above reasons, I am of a considered opinion that applicant is entitled for being released on bail subject to certain conditions. Hence, the following order :

ORDER

- 1) This application is allowed.
- 2) The applicant Poonam D/o. Subhash Gaware be released on bail on executing the PR bond of Rs.1,00,000/- (Rupees One Lakh only) with two sureties of Rs.50,000/- each in Crime No. 242/2026 registered with Police Station, Gandhi Chowk, Latur, Dist. Latur for the offence punishable under Sections 316(2), 318(3), 3(5) of B.N.S..
- 3) She shall co-operate with the investigation. She shall remain present before the investigation officer for the purpose of investigation as and when called

till filing of charge-sheet.

- 4) The applicant shall submit a list of at least 02 blood relatives with respective mobile phone numbers and detailed residential addresses and also addresses of their place of work, as per Criminal Manual Chapter- I, Para 12(1).
- 5) The applicant shall attend the Court dates regularly and participate to conduct the proceeding of the case regularly on each and every stage.
- 6) Breach of any of these conditions will be the ground for cancellations of bail.
- 7) Bail before concerned Magistrate.
- 8) Copy of this order be forwarded to Jail Superintendent, Latur through E-mail.

Date : 11/06/2026

sd/-
(R.B. Bhagwat)
Additional Sessions Judge-2,
Latur.