



Shailaja

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

**CRIMINAL WRIT PETITION [STAMP] NO.24323 OF 2024**

<b>Meenakshi Rahul Kapuria</b>	]	<b>Petitioner</b>
<b>Vs.</b>		
<b>The State of Maharashtra and another</b>	]	<b>Respondents</b>

.....

Mr. Rizwan Siddiquee a/w Mr. Mohsin Ghaniwala i/b Siddiquee & Associates, for Petitioner.

Ms. Kranti T. Hiwrale, A.P.P, for Respondents – State.

Mr. Amol Pandurang Dhole, Police Inspector, Varsova Police Station present.

.....

**CORAM : REVATI MOHITE DERE &  
PRITHVIRAJ K. CHAVAN, J.J.**

**DATE : 2<sup>nd</sup> December, 2024.**

**P.C:**

1. Heard learned Counsel for the petitioner.
  
2. Learned Counsel for the petitioner submits that the petitioner has a Bank account with the H.D.F.C Bank, Lokhandwala Branch from 2014. He submits that the petitioner's Relationship Manager – Ms. Payal Harsh Kothari, working with the H.D.F.C Bank broke the petitioner's Fixed Deposits worth Rs.3 crores and transferred

the entire proceeds to fictitious accounts and from the said fictitious accounts into her own accounts, without the petitioner's knowledge. He submitted that when the amount of Rs.3 crore was transferred by the accused into various accounts after breaking Fixed Deposits, "no sms alerts" nor "emails" were received by the petitioner. He submitted that not only is the Relationship Manager involved in the case in question, but other bank officials also appear to be involved in the said case. He submits that the Police are not investigating the case as is expected of them. He submits that the main accused has not yet been arrested in the said case till date.

3. Learned Counsel for the petitioner further submitted that the Relationship Manager – Payal Harsh Kothari gained full trust and confidence of the petitioner and took blank signed cheques from the petitioner by promising and assuring her, that her money will be transferred to Mutual Funds, Gold Bonds, NFO etc, and that she would earn more returns on the said investments, as compared to Fixed Deposits. He submitted that the Relationship Manager instead of investigating the amount in Mutual Funds, Gold Bonds, NFO etc, siphoned of the entire savings of the petitioner. Learned Counsel for the petitioner submits that till date, the Police have not collected the

blank signed cheques which were used by the accused for the transaction. He further submits that instead of investigating the case, the Police are attempting to put pressure on the petitioner to settle the matter with the accused. He further submits that only after the aforesaid petition was filed, that the accused filed an application seeking pre-arrest bail. According to the learned Counsel for the petitioner, it appears that the officer informed the accused, pursuant to which, she filed an application seeking pre-arrest bail. He further submits that instead of helping the petitioner, the Police are helping the accused.

4. It appears that the petitioner – a home maker has been duped of Rs.3 crores which were standing in her account in Fixed Deposits by the accused. It also appears that mobile phone of the accused has not been seized by the Police, till date. The Police have also not investigated the role of other officials of the H.D.F.C Bank vis-a-vis tampering of electronic data system of the H.D.F.C Bank and other aspects.

5. Learned A.P.P states that the Police have frozen bank accounts of the accused, however, the amount in the said accounts was not

more than 30,000/- in all.

6. Considering that the petitioner is aged about 53 years, a home maker has been duped of such a huge amount by the Relationship Manager of the H.D.F.C Bank, we deem it appropriate to direct the concerned D.C.P. The concerned D.C.P to remain present in person tomorrow.

7. Stand over to **3<sup>rd</sup> December, 2024.**

8. Learned A.P.P to forthwith communicate the said order to the concerned D.C.P to enable him to remain present tomorrow.

[PRITHVIRAJ K. CHAVAN, J.]

[REVATI MOHITE DERE, J.]