

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 941 OF 2015

DHAMMAPALI W/O SURYAKANT GAYAKWAD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Dhanure Bramhanand M.
APP for Respondent: Mr. M. M. Nerlikar.

CORAM: T. V. NALAWADE, J.
DATED: 9th MARCH, 2015.

PER COURT:

1. The application is filed for anticipatory bail. Both the sides are heard. This court has perused the papers of investigation.
2. The crime is registered on the basis of report given by brother in law of the present applicant. According to him, his A.T.M. Card was with husband of the present applicant. According to him, behind the back of his brother the present Applicant asked third party to make withdrawals and total amount of Rs.1,20,000/- was withdrawn by using the A.T.M. Card from his account

from 24th March, 2014 and 29th March, 2014. It is contended that this amount is misappropriated by the present applicant.

3. The police papers show that in March, 2014 the applicant was cohabiting with her husband and it is contended that the A.T.M. Card which was with her husband was used by her. As per the record, third party, a male person, has done the withdrawals and the allegations are that the third party had illicit relations with the present applicant. For making the withdrawal one needs to have code number. Learned counsel for the applicant submitted that after starting of the matrimonial dispute such allegations are made. The record shows that the said third person came to be arrested and he supplied information that the amount was given to the present applicant by him. CCTV footage of the said person was appearing while withdrawing the amounts. In view of aforesaid circumstances this Court holds that protection needs to be given to the applicant.

4. In the result, application is allowed. Interim relief granted in favour of the applicant is confirmed. She is to attend the concerned police station on every Sunday

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between 09.00 a.m. and 12.00 pm. for one month and cooperate to the police during investigation.

[T. V. NALAWADE, J.]

Dt.09/03/2015
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