

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.164 OF 2015
WITH
APPLICATION (FOR INTERVENTION) NO.139 OF 2015

Mrs. Meetali Milind Lavate ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. M.S. Mohite i/b. Mr. A.D. Joshi, learned
Advocate for the Applicant.
Mrs. R.A. Ambekar, APP for the State.
Mrs. Sonal Parab, learned Advocate for the
original Intervener.

CORAM : P.D. KODE, J.

DATE : FEBRUARY 12, 2015

P.C.

. For the detailed reasons recorded in the
order dated 06-02-2015 an ad-interim direction in
terms of Section 438 of Code of Criminal Procedure
has been passed in favour of the applicant.

2. The same was passed as *prima facie* no act

constituting the commission of offence on the part of the applicant was revealed from the F.I.R. The prosecution say does not disclose any other facet other than transfer of amount of Rs. 80 lacs from the Company account in favour of the applicant by self drawn cheque.

3. The learned counsel for the applicant has submitted that the applicant has every sincere desire to get the matter settled. It is submitted that though efforts were made earlier, the same were not materialized due to some difficulty faced by the applicant and her husband relating to finance. The learned counsel for the applicant submitted that the applicant will continue to make such efforts and try to settle the matter amicably.

4. The learned counsel for the intervener has also submitted that the intervener are also

interested in settlement and they will extend their possible cooperation for arriving at settlement.

5. In these circumstances and even the evidence pertaining to the acts allegedly committed by the applicant being embodied in the documents *prima facie* there appears no worthy reason necessitating the custodial interrogation of the applicant. Apart from it, applicant is a lady, the prime accused *prima facie* seems to be her husband and the desire shown by the applicant to get the matter settle, the ad-interim direction deserves to be confirmed upon certain conditions.

6. Resultantly, the application is allowed. The ad-interim direction given vide order dated 06-02-2015 is hereby confirmed. The investigating officer is directed that in event of arrest of the applicant, she be released on bail upon furnishing P.R Bond in sum of Rs. 5,00,000/- (Five lacs) with

one or more sureties to make up like amount and subject to the conditions that the applicant (i) as informed to the Court would make sincere efforts for settling the matter amicably, (ii) shall stay at the address mentioned in the application and shall not change the same without permission of the trial Court, (iii) not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him/her from disclosing such facts to the investigating officer and (iv) not misuse the protection granted by this order for fleeing away or for any other oblique purpose. Application stands disposed of.

7. In view of disposal of the main application, intervention application No. 139 of 2015 also stands disposed of.

(P.D. KODE, J.)