

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

CRI. WRIT PETITION NO. 1326 OF 2015

Smt. Amrita Christopher Mathew & Anr. ... Petitioners.

V/s.

State of Maharashtra & Others. ... Respondents.

Mr. U. P. Warunjikar i/by Subhash Hulyalkar, Advocate for the
Petitioners.

Mr. Limosin A., Sr. PP, CBI (BS & FC), Mumbai.

Mr. A. R. Patil, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 06th APRIL, 2015

P.C. :

1 Heard the learned Advocate Mr. Warunjikar for the
Petitioners, the learned APP for the State/Respondent Nos. 1
and 2 and learned additional P.P.-Mr. Limosin for Respondent
Nos. 3 and 4.

2 The petitioners are aggrieved by the order passed
by the Magistrate on 29th March, 2015, remanding both the
petitioners to police custody in connection with crime no. 69
of 2014 registered at Crime Branch, Marine Drive Police
Station, Mumbai, now being investigated by the Economic
Offences Wing, Unit No.I of the Mumbai Police. The Petitioner

No.1/Applicant no.1 Smt. Amrita Christopher Mathew was arrested at Ahmedabad on 28th March, 2015 and was produced before the Magistrate on 29th March, 2015. Petitioner No.2/ Applicant No.2 Robinsingh Deepak Duggal was also arrested from the said place and was produced before the Magistrate on the same day. Both the applicants made complaints before the learned Magistrate about the ill-treatment at the hands of the police. Both of them were sent for medical examination. The applicant no. 2 was examined by the Magistrate himself in his chamber. There were no external injuries on the person of the applicant no. 2. The medical officer who had examined the applicant no.1 has reported that there was no visible injuries of significant nature. Two or three bruises were found on the left shoulder of the applicant no.1 which according to the medical officer were one to two days old.

3 After having heard the petitioners and after having taken into consideration the medical report, the learned Magistrate came to the conclusion that there is no substance in the allegations of the ill-treatment at the hands of the police. Considering the nature of the offence in which an amount of Rs. 141 crores was involved, the learned Magistrate remanded the applicants/petitioners to the police custody for a period of 13 days.

4 The allegations against the applicant no. 1 was that while she was working as Branch Manager at Goregaon Branch of Dhanlaxmi Bank, created false fix deposit receipts and gave over draft facilities to certain customers. The over draft facility given to one Mr. Mohd. Faizuddin was about Rs. 126 crores. The said amount has been utilized by said Mohd. Faizuddin and payments of few lakhs only have been recovered by the police. The relevant account has been frozen.

5 At this stage, the learned Advocate for the Petitioners prays for withdrawal of the petition. The petition stands disposed of as withdrawn.

6 The observations made by this court in the earlier part of the order shall not influence the Magistrate, hearing the remand application.

(JUDGE)

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