

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1880 OF 2015**

Poornima Uttam Gaadwe

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Satyavrat Joshi for the Applicant

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 1st OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks her enlargement on bail in connection with C.R. No. 173 of 2015 registered with the Paud Police Station, Pune Rural, for the alleged offences punishable under Sections 302, 201, 363, 397 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant submits that the aforesaid complaint which was registered vide C.R. No. 173 of 2015 was lodged as

against unknown persons for causing the death of an unknown person. He submitted that the two co-accused Uttam Gaadwe and Vishal Kale in the said case were initially arrested by the Yerwada Police Station in C.R. No. 217 of 2015. He submitted that during the investigation of C.R No. 217 of 2015, it transpired that the co-accused were also involved in the said C.R. pursuant to which, the two co-accused were arrested in the aforesaid C.R. No. 173 of 2015. He submits that the only allegation qua the applicant who is the wife of the accused No. 1 Uttam Gaadwe is that she destroyed the ATM card which belonged to the deceased. Learned A.P.P does not dispute the same.

4. Considering that this is the only material qua the applicant that she destroyed the ATM card belonging to the deceased and considering the fact that she was not involved in the commission of the offence i.e. causing the death of the deceased, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

- (ii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iii) The applicant shall inform her latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (iv) The applicant to cooperate with the conduct of the trial;

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
order.
