

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
A.B.APPLICATION NO.1536 OF 2015

Maria D' Mello

..Applicant

-Versus-

State of Maharashtra

..Respondent

Mr.Sandeep Dere for applicant

Ms. Rutuja Ambekar, APP for State

CORAM : A.S.GADKARI, J.
DATE : 18th November 2015.

P.C.

1] In pursuance of the order dated 26th October 2015, the applicant who is niece of the original accused No.1 Ramesh Parab has deposited the short fall of Rs.46,189/-, in the same bank account, which has been freezed by the Investigating Agency. The Investigating Officer is present in the court and confirms the same. Considering the fact that the money which was to be secured from the applicant has been secured, prima facie it appears that nothing more is to be recovered from the applicant. It is the case of the prosecution that the main accused, Ramesh Parab had in fact defalcated huge amounts of the Government and a part of it was deposited in the account of the present applicant by misguiding her. The applicant did not avail any benefit of the said amount and she

had only obliged the principal accused, being her uncle, by allowing him to deposit the said amount of Rs.9,75,949/- in her bank account by cheque. In these circumstances, in my view, custodial interrogation of the applicant is not warranted.

2] In view of the above, the applicant is entitled for grant of pre-arrest bail on the following conditions:-

(i) In the event of the arrest in C.R.No.184 of 2015 registered with the Antop Hill Police Station, Mumbai the applicant shall be released on bail on furnishing P.R.Bond of Rs.15,000/- with one or two solvent sureties in the like amount;

(ii) The applicant shall attend the concerned police station on first Monday of every month till filing of charge sheet between 10.00 a.m. and 12.00 noon.

(iii) The applicant shall cooperate with the investigation and shall not tamper with the evidence or influence the prosecution witnesses.

(iv) The application is allowed in the aforesaid terms;

(A.S.GADKARI, J)