

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 637/2015

Sunil Tukaram Borkar and anr. ..vs.. State of Maharashtra through PSO P.S.
Frezarpura, Amravati, Tq. Dist. Amravati.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R. D. Wakode, Advocate for applicants.
Mr. S. S. Doifode, A.P.P. for non applicant-State

CORAM : V. M. DESHPANDE, J.
DATE : SEPTEMBER 16, 2015.

At the outset, learned counsel for the applicants submits that he is not pressing the application in respect of applicant no.1-Sunil Tukaram Borkar. In that view of the present application, insofar as applicant no.1-Sunil Borkar is concerned, is dismissed as withdrawn.

The charge-sheet filed in the case shows that applicant no.2-Nirmala Sunil Borkar is arrested in connection Crime No.175/2014 registered with Police Station Frezarpura, Amravati for an offence punishable under Sections 406, 420, read with Section 34 of the IPC and under Section 3 of the M.P.I.D. Act.

The FIR is lodged by one Sau. Girja Chaudhari. Though the name of applicant Nirmala is appearing in the FIR, the learned A.P.P. fairly submits that in the entire charge-sheet, role of inducing the

first informant and such other persons for investing amounts in ponzy scheme launched by the husband of the applicant namely; Sunil Borkar is against applicant no.1 only. All the documents filed in the charge-sheet bears signature of applicant no.1. Except the fact that applicant no.2 is wife of the main accused, applicant no.1-Sunil Borkar, there is nothing against her.

In that view of the matter, application of applicant no.2-Nirmala can be considered favourably. Hence, following order is passed

ORDER

(i) Criminal Application No.637/2015 is allowed only insofar as applicant no.2-Sau. Nirmala Sunil Borkar is concerned.

(ii) Applicant No.2- Sau. Nirmala Sunil Borkar be released on bail in connection with Crime No.175/2014 registered with Police Station Frezarpura, Amravati for an offence punishable under Sections 406, 420, 34 of IPC and Section 3 of the M.P.I.D. Act, on she executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties.

(iii) Bail before trial Court.

JUDGE