

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2648 OF 2016

Namrata Manoj Kirtane .. Applicant

Vs.

The State of Maharashtra and anr. .. Respondents

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Mr. R.S. Deshmukh, Advocate h/f Mr. R.B. Ade, Advocate
for the applicant

Mr. A.S. Shinde, APP for the respondent-State

Mr. Yuvraj V. Kakde, Advocate for assist to A.P.P.

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CORAM : N.W. SAMBRE, J.

DATE : 27/06/2016

ORAL ORDER :

Heard.

2. The applicant, whose husband – Manoj is running Aadarsha Krushi Seva Kendra at Dattamanjari, Taluka – Mahur, Dist. Nanded, is booked in crime no. 15 of 2016 registered at Mahur Police Station, Dist. Nanded for the offences punishable under section 420, 406 r/w. 34 of the Indian Penal Code, is seeking pre-arrest bail.

3. The role attributed to the applicant is that her husband – Manoj, entered into an agreement of purchase of agricultural produce like toor and cotton from the farmers, who have purchased the fertilizers, insecticides, pesticides on credit from them, however, the said amount is not repaid after adjusting the outstanding amount against their accounts.

4. With the assistance, I have perused the investigation papers.

5. Prima facie from the statements of various witnesses including that of Balaji, who used to work as an Accountant with the Aadarsha Krushi Seva Kendra, owned by the applicant, speaks that the applicant alongwith her husband has entered into the agreement in question.

6. The other statements of the witnesses, whose agricultural commodity was also purchased by the applicant, speak the same language.

7. If the record, as is placed before this Court, is analyzed, so far as the accused – Namrata, a woman is concerned, but for participation in the meetings with the farmers, qua explaining the position as regards distribution of the outstanding amount, there is hardly any material on record to connect her to the crime in question.

8. It is then required to be noted that she is brought into picture being the wife of Manoj, who owns Aadarsha Krushi Seva Kendra. There is enough material available on record against Manoj, husband of the applicant and his Application being Criminal Application No.2843 of 2016, after hearing at length, is already withdrawn by him, vide separate order passed today.

9. In my opinion, the custodial interrogation of the applicant in the above background, particularly having regard to the role attributed, is not called for. Hence, the following order:-

10. In the event of the arrest of the applicant in Crime no. 15 of 2016 registered with Mahur Police Station, Dist. Nanded for the offences punishable under section 420, 406 r/w. 34 of the Indian Penal Code, she be released on bail upon her executing P.R. bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) with one surety in the like amount.

11. The applicant shall attend the concerned Police Station from 4th July, 2016 to 8th July, 2016 between 10 am and 12 noon and, thereafter, as and when called by the Investigation Officer alongwith the record, as is available with her and shall co-operate with the investigation.

12. The applicant shall not tamper with any of the record or the prosecution witnesses.

13. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-