

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1381 OF 2015

Smt.Mansi Chintan Busa
alias Mansi Goradia

... Applicant

Vs.

The State of Maharashtra & anr.

... Respondents

Mr.Ajit Kenjale a/w R.L. Dharap for the Applicant
Ms.P.P. Shinde , APP, for Respondent – State
Mr.S.S. Karmarkar, for Resp. No.2
Mr.Kishor Patil, PSI, Dahisar police station – present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 7, 2016**

P.C.:

1. The applicant lady is facing charges under sections 406, 20, 465, 467, 471 of the Indian Penal Code in C.R. No.406b of 2015 registeed with the Dahisar police station. It is the case of the complainant, who is the husband of the applicant-accused, that he got married to the applicant on 6.6.2011 but they are not compatible and according to the applicant-accused she was tortured. She left home and went to her maiden house and however, a child was born out of the wedlock. The child was born on 17.6.2014. As she did not return to the complainant, he found that his wife i.e., the applicant-accused, without the consent of the complainant, by forging his signature, withdrew a total amount of Rs.1,55,500/- from his account and thus, has cheated him. Hence, he registered the offence

against her.

2. The learned Counsel for the Applicant submits that the applicant is innocent and has not committed any offence and she has filed a complaint against him and, therefore, a counter case is filed by the husband.

3. The learned Counsel for the respondent/husband submits that initially the husband did not object because she was staying with him, however, she has forged his cheques and put his signature on them.

4. The learned Prosecutor submitted that the police have seized the required documents and custody of the applicant-accused is not required.

5. Heard the learned Counsel for both the sides as also the learned APP. The applicant-accused is a mother of 1½ year old child. In view of this and considering the submissions of the learned Prosecutor, the application is allowed on the following terms:

- i) In the event of arrest, the applicant-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/-.
- ii) The applicant-accused shall cooperate with the police.

(MRIDULA BHATKAR, J.)