

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1816 OF 2015
WITH
CRIMINAL APPLICATION NO.1031 OF 2015

Mrs. Anagha Kartik Borikar.

...Applicant.

vs.

The State of Maharashtra.

...Respondent.

Mr.A.H.Ponda i/by G.S.Rao for the Applicant.

Smt.S.D.Shinde, APP. for the State,.

Mr. Aushal Sontakke i/by Swapna Kode for the Intervener.

Mr.Salunke, API DCB CID Property Cell present in court.

CORAM : A.S.GADKARI, J.

DATE : 28th January, 2016

P.C.

The Learned APP on instructions submitted that in pursuance of the statement made by the learned counsel for the applicant which is recorded in order dated 14.11.2015 the applicant has deposited the said amount in the registry of this court. She further on instructions submitted that the custodial interrogation of the applicant is not necessary. However, the applicant may be directed to attend the Investigating Officer as and when called for the purpose of investigation till filing of the charge sheet.

2) It is needless to mention here that the amount deposited by the applicant in this court is without prejudice to her rights and contentions to be raised at the time of trial. Neither the applicant nor the original complainant are entitled to withdraw the said

amount till the conclusion of the trial or till the proceedings are quashed by the Court of Competent Jurisdiction. It is further to be noted that the complainant will not be entitled to claim any interest on the said amount.

3) In view of the above, the interim relief granted by order dated 13.11.2015 is hereby confirmed. However, the applicant is directed to attend the Investigating Officer as and when called, for the purpose of investigation till filing of the charge sheet between 10.00 a.m. to 12.00 noon.

4) It is needless to mention that before calling the applicant the Investigating Officer to issue notice under Section-160 of the Cr P. C.

5) Application is allowed in the aforesaid terms.

6) As the ABA No.1816/2015 is allowed, the Criminal Application NO.1031/2015 does not survive and the same is disposed of accordingly.

(A.S. GADKARI, J.)