

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.747 OF 2017

Sou. Rupali Vilas Divate

... Applicant

vs.

The State of Maharashtra

... Respondent

.....

Mr. Milind Deshmukh for the Applicant.

Mr. S. R. Agarkar, APP for the State.

CORAM : T. V. NALAWADE, J.

DATE : 23.08.2017.

P.C.:

1. The application is filed for relief of Anticipatory Bail in C. R. No. 215/2017 registered in Shirur Police Station for offences punishable under Section 420, 465 and 471 etc. of the Indian Penal Code. Both the sides are heard. The papers of investigation were made available.

2. The crime is registered on the basis of report given by Branch Manager of ICIC Bank. He has made allegation against the present applicant that she produced false certificate by representing that it was issued by Village Panchayat. The certificate was showing that at the place shown in the certificate the applicant was running the factory by name POG food product. As investigation in the other crime was going on and CID was collecting the record the Bank Officer had suspicion about the record produced by present applicant. They made inquiry with Village Surpanch and Giram Sevak and that inquiry revealed that certificate produced by the present applicant in Bank for opening cash credit account was bogus.

3. The learned APP submitted that there are as many as five crimes registered against the applicant. On the other hand the learned counsel for the applicant submitted that she is being harassed due to

some political rivalry and the authority has joined hands with the rival group.

4. If the FIR is read carefully it can be said that it is also the contention of the branch manager that the things were verified by the bank's men by actually visiting the place where the factory was started. The certificate was to show that the factory of the applicant was there. Thus after visiting that place the bank was satisfied that there was such factory and due to that the bank opened the account of applicant in the bank. The learned counsel for the applicant submitted that a resolution was passed by the Village Panchayat for giving permission to start such business and this circumstance shows that the Village Panchayat is turning its back to see that the applicant comes into difficulty.

5. In any case if the allegations are considered as they are, it can be said that due to the documents no loss was caused to the bank or even the Village Panchayat as the bank had visited the factory premises to ascertain the existence of the factory. It appears that nobody is denying that there was such factory and the machinery of the factory was lying there. In view of these circumstances this Court holds that protection needs to be given to the present applicant subject to some condition. In the result the application is allowed the interim relief already granted is confirmed subject to condition that applicant should visit the concerned police station on every Sunday between 9.00 am to 12.00 noon for a period of one month and she is to cooperate the police during investigation.

(T. V. NALAWADE, J.)