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

ANTICIPATORY BAIL APPLICATION NO.798 OF 2017

Lata Dipakrao Mujumdar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.T.P.Hartalkar i/b Mr.S.S.Kanetkar, for the Applicant

Mr.S.S.Hulke, A.P.P for the Respondent-State.

API – Shakil Pathan, Vishrambaug Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this Application, the Applicant seeks pre-arrest bail in connection with C.R.No.145 of 2017 registered with the Vishrambaug Police Station, Pune, for the alleged offences punishable under Sections 406, 409, 420, 465, 468, 471 r/w.34 of the Indian Penal Code.
3. Learned Counsel for the Applicant submits that the Applicant

has not been named in the FIR. He submits that there are no allegation as against the Applicant, that she misappropriated money from the said Kalyani Nagari Sahakari Patsanstha, during that time she was the secretary.

4. Learned APP opposed the application. He submitted that the applicant has not put in, any formal resignation and had continued to work as a Secretary in the Patsanstha.

5. Perused the papers. The FIR does not disclose the name of the applicant and the allegations are as against the Chairman – Ajay Bhute and one Tejas Kedari. There are no statements to show that the applicant as a Secretary has induced any of the flat purchasers or any individual to do any particular act. Although, the learned counsel for the applicant submitted that the applicant was a Secretary only during the period from 2001 to 2006 and not from January 2014 to December, 2016, there is no document to substantiate the same. Be that as it may, the same is a matter which will be decided by the trial Court. The applicant is a lady, aged 64 years. She has reported to the Investigating Officer of the concerned Police Station, as directed by this Court.

6. In the peculiar facts of this case, custodial interrogation of the applicant is not necessary. Accordingly, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier;
- (iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case.
- (iv) The applicant shall inform her latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the

Investigating Officer of the concerned Police Station, in writing;

(v) The Applicant shall co-operate with the Investigating Agency.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)