

Anand

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

**ANTICIPATORY BAIL APPLICATION NO.926 OF 2017**

Sharvari Ashok Pawar .Applicant

Vs.

The State of Maharashtra .Respondent

WITH

**CRIMINAL APPLICATION NO.487 OF 2017**  
(For Intervention)

IN

**ANTICIPATORY BAIL APPLICATION NO.926 OF 2017**

Prashant Shivaji Jadhav .Intervenor

IN THE MATTER BETWEEN

Sharvari Ashok Pawar .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.Harshad Bhadbhade, Advocate, for the  
Applicant

Mr.Prashant Jadhav, APP, for the Respondent –  
State

Mr.U.R.Mankapure i/b. Mr.R.A.Naik, Advocate, for  
the Intervenor

Ms Sharvari Ashok Pawar, Applicant present in  
person

**CORAM : REVATI MOHITE DERE, J.**

**DATE : 21.06.2017**

**P.C.**

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C.R.No.128 of 2017 registered with the Vishrambag Police Station, Sangli, for the alleged offences punishable under Sections 420, 406 & 506 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the said case. He submits that the present case is a counter blast to the FIR/Complaint lodged by the Applicant, against the Complainant in the present C.R., for the offence punishable under Section 376 of the Indian Penal Code and under Sections 3(1)10, 12 and 3(2)5 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. He submitted that the Applicant and the Complainant

were in a live-in-relationship and that the articles were purchased by the Applicant herself. He further submits that the Swift car, is not in her possession and that she has sold the same to some third party.

4. Learned counsel for the Intervenor opposes the Application. He submits the Swift car belongs to the Complainant and is presently with the Applicant. The said statement is disputed by the learned counsel for the Applicant.

5. Perused the papers. Learned counsel for the Applicant has filed an undertaking of the Applicant. The same is taken on record and marked as "X" for identification. In the said Affidavit, she has denied that the Swift car is in her custody. However, to show her bona fides, she has undertaken to deposit a sum of Rs.2,65,000/- in this Court or in the District

Court, subject to final outcome of the case. She has further stated that if the Swift car is found, the Complainant can claim the said car and that she would not object to the same, however, she would then be entitled to get her money i.e. Rs.2,65,000/- back, which she is depositing. She has also undertaken not to create any third party rights, title and interest regarding T.V., fridge etc. till the final disposal of the case. She has further stated that she will not claim any right, title and interest or possession in the 15 acres of land at Islampur, standing in the Complainant's name. She has also undertaken that she will not file any litigation, on the basis of an alleged M.O.U. executed by the Complainant in her favour.

6. In view of the Affidavit filed by the learned counsel for the Applicant, learned counsel for the Intervenor also has no objection

to the grant of Anticipatory Bail to the Applicant.

7. In the peculiar facts & circumstances of the case, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions:-

O R D E R

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station **as & when called for** by the investigating officer till the filing of the charge-sheet or for a period of three months whichever is earlier;

(iii) The Applicant, without prejudice to her rights & contentions shall deposit a sum of **Rs.2,65,000/-** with the Registrar, District

Court, Sangli, subject to final outcome of the case.

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

9. In view of disposal of the ABA No.926 of 2017, the Cri. Application No.487 of 2017 does not survive and the same stands disposed of accordingly.

10. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)