*Nalawade*

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1075 OF 2016

Smt.Savita Jhaveri vs. The State of Maharashtra

| Office Notes, Office Memorandam of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr.P. D.Dalvi i/by V. V. Tare Patil for the Applicant.
Mrs. Jyoti Lohokare, APP. for the State.

CORAM :A.S.GADKARI, J.
DATE : 10th April, 2017

P.C.

1) The applicant has been granted interim relief by an order dated 29.6.2016.

2) The first information report is lodged by Smt. Minakshi Balkrishanan. It is stated in the said report that the complainant and her husband owns a company namely M/s. Iyer International which is situated at Dubai in the business of Petro Chemicals and Petroleum products. The complainant was intending to expand the business for which huge funds were necessary. She came in contact with one Mr. Ashok Patel who is stationed at Beharin. After primary discussion with respect to expansion of business and necessity of huge funds thereof, Ashok Patel introduced his friend Girish Kapashi who is stationed at Mumbai with the complainant.

The complainant thereafter came to Mumbai.

Mr. Girish Kapashi introduced the applicant as Bank Officer of State Bank of India to the complainant. It is the allegation of the complainant that she assured the complainant that on the basis of the bank guarantee substantial quantity of funds will be made available from an International Bank to the complainant for the expansion of her company's business. Accordingly, the said Girish Kapashi thereafter introduced co accused Latesh Kumble with the complainant. It is the allegation against all the accused persons that, by giving false promise and by tendering forged and fabricated documents under the pretext of sanctioning 100 million dollars as loan on deposit of a bank guarantee of an international bank the complainant will get the said loan and for that purpose they from time to time extracted an amount of Rs.25.47 crores from the complainant.

3) The record reveals that during the course of investigation co accused namely Girish Kapashi, Vikas Ane, Tanaji Maruti Shedge were arrested. Today, co accused Latesh Sanjiv Kumble has withdrawn his pre-arrest bail application with liberty to surrender before the Investigating Officer on or before 24.4.2017. The record of investigation further reveals that the police have also seized the alleged bank guarantee/bond in the name of Federal Reserve Bond issued by United State of America and the Investigation agency is in the process of verifying its genuineness.

4) As far as the present applicant is concerned, the first information report and the investigation carried out till today reveals that except giving alleged false assurance to the complainant that the applicant being the Officer of the State Bank of India will extend help to the complainant in procuring the amount of finance for expansion of her business, there is no allegation of acceptance of any money by her. The record of investigation further revels that the applicant has not received any amount in the said crime. In view thereof, the applicant has made out a case for her release on pre-arrest bail.

5) Hence, the following order.

a) In the event of arrest of the applicant in CR No.89/2016 dated 4.3.2016 registered with Malad Police Station, Mumbai, the applicant shall be released on bail on her furnishing PR bond of Rs.50,000/- with one or two solvent local sureties in the like amount.

b) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)