

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

ANTICIPATORY BAIL APPLICATION NO. 1351 OF 2017

Vandana Anil Kulkarni	... Applicant
Versus	
State of Maharashtra	... Respondent

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Mr. Veerdhaval Kakade for the Applicant.
Ms. A.A. Takalkar, APP for the State.

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CORAM : T. V. NALAWADE, J.

DATE : 16th AUGUST, 2017

P. C. :

1. This Application is filed for relief of anticipatory bail in C.R.No.711 of 2016 registered with Hadapsar Police Station, Dist. Pune, for offences punishable under sections 420, 406, 465, 467, 468 and 471 of the Indian Penal Code.
2. Both the sides are heard.
3. The papers of investigation were made available for perusal.
4. The complainant – Sanjay Patil is a Government Auditor. After conducting audit of Omkar Nagari Sahakari Patsanstha

Limited, S.No.36/2, Krushnai Nagar, Kale Padal, Hadapsar, Pune, for the period 01/04/2010 to 31/03/2011 he gave the report against the present applicant and others who were responsible for irregularities and misappropriation.

5. The present applicant was working as collecting agent for the aforesaid financial institution. Her husband was Secretary of the said institution. The allegations against the present applicant are that after collecting money from account holders, she was not depositing the amount regularly with the society and when the amount went upto Rs.9 Lakhs, she took loan from the same society and deposited it against the account of which she had misappropriated. There is allegation that she and others had opened a false account in the name of hotel Chaitanya and amounts were credited in this account for misappropriation. There is allegation that she caused loss of Rs. 13.22 Lakhs to the institution.

6. Learned Counsel for the applicant submits that the applicant had repaid the aforesaid loan in the year 2012 itself and there are no dues against the present applicant. This circumstance cannot

be considered in the proceedings like one. It can be said that when the audits were started, the persons like the present applicant took steps to see that no action is taken against him or her.

7. There are serious allegations against the office bearers, including the Manager, Chairman, Secretary and others. Total amount of Rs.60.50 lakhs is misappropriated by them. The amount of Rs. 24.4 Lakhs was lost by the institution due to the Chairman and his wife. The amount of Rs. 24.4 lakhs was lost due to the husband of the present applicant who had joined hands with the Chairman. There are separate allegations against the present applicant of aforesaid nature. Such instances are increasing day by day. Only poor persons go to such institutions and keep their money, but persons like the present applicant deceive such persons. This Court holds that relief cannot be given in favour of the present applicant.

8. In the result, the application stands rejected. Ad-interim relief granted earlier, stands vacated.

(T. V. NALAWADE, J.)