

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1475 OF 2017

Manisha Vijaykumar Patil

... Applicant

vs.

The State of Maharashtra

... Respondents

.....

Mr. Vishal L. Kolekar for the Applicant.

Mr. S. S. Hulke, APP for the State.

CORAM : T. V. NALAWADE, J.

DATE : 21.08.2017.

P.C.:

1. The application is filed for relief of Anticipatory Bail. Both the sides are heard. This court has perused the papers. There is an allegation against the present applicant that on the property which is shown to be sold to the complainant previously loan was taken and the property was also sold to the 3rd party and then by deceiving the complainant consideration was obtained from him. Though the possession was given to him, he came to be evicted as steps were taken by the Bank for recovery of loan. The complainant lost the possession and he approached the Court of JMFC by filing complaint. Order to make investigation came to be made and crime is registered for offences of cheating, creation of false record etc.

2. The learned counsel for the Applicant submitted that the Applicant is lady and she had given power of attorney to 3rd party and she did not know that the said power of attorney had already sold the property. This submission is not at all accepted. The purchaser deceived and he had parted with the consideration. Now he has lost the

possession. In view of this circumstances, this Court holds that discretionary relief cannot be given in favour of the present Applicant though she is a lady. The Application is rejected.

(T. V. NALAWADE, J.)