

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

ANTICIPATORY BAIL APPLICATION NO. 1712 OF 2017

Leena Sandeep Potdar

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Ganesh Bhujbal for the Applicant.

Ms. A.A. Takalkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 28th SEPTEMBER, 2017

P.C.:

. This is an application under Section 438 of Cr.P.C. for pre-arrest bail in C.R. No.816/2017 dated 19.08.2017 registered with Hadapsar Police Station, District Pune under Sections 406, 420, 465, 467, 504, 506 read with Section 34 of Indian Penal Code and Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act.

2 The record indicates that the Applicant has already filed an Anticipatory Bail Application No. 3124 of 2017 under Section 438 of Cr.P.C. before the District and Sessions Judge, Pune which is pending for final adjudication. The the Applicant has also filed an interim bail application in the said main application.

3 Learned Counsel for the Applicant submitted that the said interim bail application was listed for hearing before the Trial Court on three earlier

occasions, however no orders are either way are passed on it. He submitted that the next date of hearing on interim bail application is now scheduled on 03.10.2017. That the Applicant is having a son who is studying in standard 10 and in the absence of interim relief, it is difficult for the Applicant to take his care.

4 In view of the fact that the interim bail application is pending on the file of the learned Sessions Judge, Pune, it will be appropriate to direct the concerned Judge ceased of ABA No. 3124 of 2017 to decide the said application on its own merits and to make an endeavor to dispose it off on 03.10.2017.

5 Till then, the Applicant is granted interim relief.

6 Hence, the following order:-

i) In the event of arrest of the Applicant in C.R. No.816/2017 dated 19.08.2017 registered with Hadapsar Police Station, District Pune, the Applicant shall be released on bail on his furnishing PR Bond of Rs.50,000/- with one or two solvent local sureties in the like amount.

ii) Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

iii) The learned Sessions Judge, Pune ceased of ABA No. 3124 of 2017 is hereby directed to decide the said application uninfluenced by the interim relief granted by this Court by the present order.

iv) All the concerned to act on an authenticated copy of this order.

- v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)