

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1801 OF 2016

Vinaya Anu Bishwal vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.A.PMundergi, Sr.Advocate i/by S.S.Borkar for the Applicant.
Mr.Ameet Palkar,APP. for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 14th December, 2017

P.C.

1. By an order dated 15.10.2016 the applicant was granted interim relief.
2. Heard learned counsel for the applicant and the learned APP. Perused the record of investigation.
3. It is the case of the prosecution that Patrick real brother of accused Michael Saldhana and Mark Saldhana expired on 18.2.2016 and thereafter said two co-accused in connivance with other accused persons prepared a bogus power of attorney and siphoned of funds from the account of the deceased. A Will and Codicil is also propounded by the said accused for

claiming inheritance in the property of the deceased. It is the allegation against the applicant that she being the sub broker of India Infoline Company initially was instrumental in allotting the shares of certain companies in the name of deceased Patrick and under the instructions of co-accused Michael and Mark sold the said shares in the market and deposited the amount received there from in the account of the co-accused. That, the applicant received a sum of Rs.7.50 lakhs towards the brokerage in the said transaction. The learned APP submitted that the said account has already been freezed by the Investigating agency and the said amount is lying therein. The record indicates that by an order dated 4.12.2017 the principal accused persons namely Michael and Mark have been granted pre arrest bail by this Court .

2. The role played by the applicant in the present crime has been enumerated herein above. In considered view of this Court the applicant has played much lessor role than that has been attributed to the co-accused Michel and Mark in the present crime.

4. In view thereof, the applicant is entitled to be released on pre-arrest bail on the ground of parity.

Hence, the following order.

- a) In the event of arrest in Crime No.299/2016 registered with Azad Maidan Police Station, Mumbai for offences punishable under Sections 419, 420, 465, 467, 471, 507 and 120B of the Indian Penal, the applicant shall be released on bail on her furnishing PR bond in the sum of Rs.15,000/- with one or two local sureties in the like amount.
- b) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- c) The applicant shall also attend the Investigating officer as and when called for by a written notice under Section 160 of the Cr.P.C. thereby specifying the date and time.
- d) The applicant shall furnish her residential address as well as cell phone numbers to the Investigating officer and should inform the change, if any, in her residential address or cell phone numbers to the Investigating officer.
- e) The applicant shall not leave India without prior permission of this Court.
- f) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)