

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

ANTICIPATORY BAIL APPLICATION NO. 623 OF 2018

Priti w/o. Kartick M. SrivastavApplicant

V/s.

The State of MaharashtraRespondent

Mr. Shriram Shirsat a/w. Mr. Bharat Manghani I/b. Mr. Dilip
H. Shukla for the applicant.

Mr. S.R. Agarkar, APP for the State.

Mr. Sandeep R. Karnik for the intervenor.

Mr. R.S. Nagawde, PI, Unit IX, EOW, Mumbai, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 12th OCTOBER, 2018.

P.C.:

. This is an application for anticipatory bail, under section 438 of Criminal Procedure Code, filed by the aforesaid applicant, apprehending her arrest in C.R.No.73/2016 registered with EOW Unit-IX, Mumbai for offences punishable under sections 406, 409, 420, 120(B) of the Indian Penal Code and section 3 and 4 of M.P.I.D Act.

2. Heard Mr.Shriram Shirsat, learned counsel for the applicant, Mr. S.R. Agarkar, learned APP for the State and Mr. Sandeep R. Karnik, learned counsel for the intervenor. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The case of the prosecution, in short, is that the applicant, her husband and other family members induced the first informant-Dr. Kedar Ganala and some other investors to invest money in several companies by assuring them high returns. It is alleged that the applicant, her husband and other members of her family have defrauded the investors to the total tune of Rs.35 crores approximately.

4. On 12/09/2018, the applicant had undertaken to deposit total Rs.25,00,000/- so as to show her bonafide. Pursuant to the said order, the applicant has deposited Rs.25,00,000/- before this Court. It is also stated that the applicant had reported to the Investigation Officer as per the condition of the order dated 12/09/2018. Considering that the applicant is a women and also considering the above facts and circumstances, in my considered view, she is entitled for pre-arrest bail. Hence, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the applicant in C.R.No.73/2016 registered with EOW Unit-IX, Mumbai, she shall be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.

(b) The applicant shall remain present before the Investigation Officer for a period of four days from 23/10/2018 and further as and when required by the Investigation Officer for the purpose of interrogation/investigation.

(c) The applicant shall furnish her permanent and temporary address, if any, and her contact details to the Investigation Officer.

(d) The applicant shall not change her residential address without prior intimation to the Investigation Officer.

(e) The applicant shall not interfere with the complainant/first informant and other witnesses and shall not tamper with the evidence in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)