

Dond

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

**ANTICIPATORY BAIL APPLICATION NO. 868 OF 2018
WITH
APPP NO.1303 OF 2018**

Jaymala Mahesh Shिवtare.

..Applicant

Vs

The State of Maharashtra

..Respondent

WITH

**ANTICIPATORY BAIL APPLICATION NO. 869 OF 2018
WITH
APPP NO.1304 OF 2018**

Amit Nandkumar Nvangune

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. N.P. Deshpande for applicant.

Ms. J.S. Lohokare, APP for State.

Mr. P.S. Pachundkar for Intervener.

Mr. Kiran Londhe, API, Hadapsar present.

CORAM : A.S.GADKARI, J.

DATE : 6th December 2018.

P.C.:

1] By an Order dated 4th May 2018, the applicants were granted interim relief and were directed to deposit Rs.17.00 lakhs in the Registry of this Court.

2] The learned counsel for the applicants on instructions submitted that the applicants have deposited the said amount in the Registry of this Court. The Investigating Officer is seeking custody of the applicants for recovery of said

amount of Rs.17.00 lakhs alleged to have been defalcated by them in the present crime.

3] In view deposit of the said amount by the applicants, the custodial interrogation of the applicants for further investigation of the present crime is not necessary.

4] In view thereof, Interim relief granted by an Order dated 4th May 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

5] It is needless to mention that, the aforesaid amount deposited by the applicants is the alleged amount involved in the present crime and the Investigating Officer is at liberty to adopt appropriate proceedings for showing the said amount as recovery in the present crime. It is also to be noted here that, if the trial results in favour of the applicants, they will be entitled to get back the said amount without any interest.

6] Both Applications are allowed in the aforesaid terms.

7] In view of Order passed in A.B.A. Nos.868 and 869 of 2018, Criminal Applications (APPP) Nos.1303 and 1304 of 2018 do not survive the same are accordingly disposed off.

(A.S.GADKARI, J.)