

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 948 OF 2018**

Smt. Saniya Sajid Shaikh

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Kunal Phoole for the Applicant.

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

CORAM : A. S. GADKARI, J.**DATE : 25th JULY, 2018.****P.C.:-**

By an Order dated 4th May, 2018 the Applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates.

2 The Applicant is wife of the co-accused Sajid Shaikh. The allegation as against the Applicant is that, an amount of Rs.2,00,000/- out of the total amount defalcated by Sajid Shaikh and other accused persons was deposited in the bank account of the Applicant.

3 The learned counsel for the Applicant submitted that, during the pendency of her Application before the Sessions Court, Mumbai, she has already returned the said amount to the first informant by way of Demand Draft drawn on the Corporation Bank in presence of the concerned police officer. He produced the receipt of

the payment on record. The learned APP, on instructions, conceded to the said fact.

4 The co-accused namely Sajid Shaikh and Rajiv Kapoor were arrested by the police and now have been released on regular bail. The record further indicates that, the Applicant has attended the concerned police station and co-operated in the process of investigation. In view of thereof, the custodial interrogation of the Applicant for further investigation in the present crime is not necessary.

5 Interim relief granted by order dated 4th May, 2018 is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)