

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

ANTICIPATORY BAIL APPLICATION NO. 1223 OF 2017

Hemlata Dada Nikam

... Applicant

V/s.

The State of Maharashtra

... Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1224 OF 2017**

Nimisha Moreshwar Godbole

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Surel Shah for the Applicant.

Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 12th JANUARY, 2018

P.C.:

. By an Order dated 17.07.2017, the Applicants were granted interim relief.

2 Perused the record of investigation.

The learned APP submitted that the investigating agency has completed the investigation and it is found during the course of investigation that accused Sanjay Ahire is the prime accused and master mind behind the crime. That the Applicants have no role to play in the present crime. It is further revealed that the Applicants have genuinely and bonfidelly submitted the bills for

reimbursement of medical claim, however it is the accused Sanjay Ahire who for his personal benefits has fabricated certain documents for getting pecuniary benefits from the Government. It is submitted that during the course of investigation, it is revealed that said accused Sanjay Ahire has expired and therefore, the police have submitted abatement summary report against him.

3 The learned APP fairly submitted that, custodial interrogation of the Applicants therefore, is not necessary.

4 After perusing the record of investigation, this Court is of the view that for further investigating of the present crime, the custodial interrogation of the Applicants is not necessary.

5 In view of the above, interim relief granted by an Order dated 17.07.2017 is hereby confirmed.

6 Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)