

*Nalawade*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTIONANTICIPATORY BAIL APPLICATION NO. 1266 OF 2017
Mrs. Geeta Vedant vs. The 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. C.K.Pendse i/by Prashant Jadhav for the Applicant.
 Mr.S.S.Hulke, APP. for the State.
 Mr. Prashant Raul for the Intervener.

CORAM :A.S.GADKARI, J.
DATE : 11th January, 2018

P.C.

- 1) The applicant is apprehending arrest in CR No.120 of 2017 dated 13.6.2017 registered with R.A.K. Marg Police Station, Mumbai under Section 406 read with 34 of the Indian Penal Code.
- 2) The first information report is lodged by Mr. Sanjay Vyas, the Director of Ashapura Garments. The husband of the applicant namely Bharat Vedant is also a Director in the said company.

It is the prosecution case in nut shell that the company invested its money in gold and diamond jewellery and some of the jewellery was given to the applicant through her husband Bharat Vedant for her personal use. The amount of the said jewellery as alleged in the first information report is about 88.00 lakhs. It is further alleged that the applicant in connivance with other accused namely Sachin Adiyecha has

committed criminal breach of trust and has defalcated the said property.

3) By an order dated 27.7.2017, this Court had directed the applicant to report to the Investigating Officer on stipulated dates and for handing over the ornaments as alleged in the first information report. The learned APP on instructions submitted that the applicant has handed over the ornaments worth Rs.72.00 lakhs and the ornaments amounting to Rs.16.00 lakhs could not be seized from the applicant.

Mr. Pendse, the learned counsel appearing for the applicant submitted that there is matrimonial dispute prevailing between the applicant and her husband Bharat Vedant since the year 2014. That the applicant is having two grown up daughters and for maintaining herself and for the well being of her daughters she has sold some ornaments as her husband is not providing any monetary help to her. He submitted that it is because of the said reason the recovery of balance ornaments/amount approximately of Rs.16.00 lakhs could not be effected by the police.

4) After taking into consideration the peculiar facts and circumstances of the present case, so also the fact that in pursuance of the order dated 27.7.2017 the applicant has given recovery of ornaments approximately worth of Rs.72.00 lakhs to the Investigating agency, in view of this Court, for further investigation of the present crime custodial interrogation of the applicant is not necessary.

5) In view of the above, the applicant deserves to be granted pre-arrest bail.

Hence, the following order.

- a) In the event of arrest in CR No.120 of 2017 dated 13.6.2017 registered with R.A.K. Marg Police Station, Mumbai the applicant shall be released on bail on her furnishing PR bond 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 witness.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)