

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1532 OF 2018

Mrs.Usha Bhavanji Dedhia

Applicant

versus

The State of Maharashtra

Respondent

Mr.Vinaykumar O. Dubey for applicant.

Mr.Y.Y.Dabke, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 28th August 2018

PC :

1. This is an application for anticipatory bail. The offence is registered with Shrinagar Police Station, Thane vide CR No.II-59 of 2015 for offences under Sections 3, 7 and 8(2) of Essential Commodities Act. The FIR was registered on 9th September 2015. The allegation is that the officials of Rationing Department visited the shop premises wherein it was found that the records were not maintained properly. Hence the FIR was registered.

2. The case of the applicant is that the rationing shop was being conducted by the co-accused. The said accused has been granted anticipatory bail by this Court on the ground that he was not the owner of the said shop. The applicant is a lady. Initially the rationing licence was issued in the name of husband of the applicant, who has expired, thereafter it was transferred in the name of applicant. It is submitted that after the FIR was registered in 2015, she has co-operated with the investigation and furnished documents. Her application was rejected by Sessions Court in 2016. However,

thereafter she was never called for interrogation. Since the applicant was called now by police, she has preferred this application.

3. Learned APP submitted that the applicant is owner of the rationing shop and her custodial interrogation is necessary for recovery of documents. Considering the nature of allegations and the fact that the FIR was registered in 2015 and also considering the fact that the co-accused who was conducting the business has been granted anticipatory bail, the applicant can be directed to co-operate in the investigation by attending police station by granting relief as prayed in this application.

4. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicant in connection with CR No.II-59 of 2015 registered with Shrinagar Police Station, Thane, the applicant be released on bail on furnishing PR bond in the sum of Rs.15,000/- with one or more sureties in the like amount;
- (ii) The applicant shall attend the Investigating Officer of Shrinagar Police Station, Thane once in a week on every Saturday between 10 a.m. and 12 noon till filing of charge sheet, and after filing of the charge sheet, on every first Saturday of month between 10 a.m. and 12 noon till further orders;
- (iii) Criminal Anticipatory Bail Application No.1532 of 2018 is disposed off.

(PRAKASH D. NAIK, J.)