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

CRIMINAL APPLICATION NO. 642 OF 2017

Mrs. Dipti Sameer Phansekar

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Nitin Deshpande for applicant.

Ms. Rutuja Ambekar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 21st June 2018.

P.C.:

1] This is an application for modification of condition No.6(ii) imposed upon the applicant while releasing her on bail by an Order dated 10th October 2017 passed by the Additional Sessions Judge No.5, Thane in Bail Application No.2479 of 2017.

By the said condition, the applicant has been directed to deposit Rs.50.00 lakhs with the Investigating Agency.

2] The learned Counsel for the applicant submitted that, the principal accused Sameer Phansekar is still absconding. He submitted that, the entire proceeds of alleged crime were deposited in the account of Sameer Phansekar who alongwith other accused persons has siphoned off

the said funds. He submitted that the applicant is facing financial crisis and therefore it is difficult for her to deposit the said amount of Rs.50.00 lakhs with the Investigating Agency. He on instructions from the applicant who is personally present in the Court submitted that, the applicant will make arrangement for and is ready and willing to deposit Rs.10.00 lakhs in the Registry of this Court within a period of four weeks from today. The said statement is accepted.

3] In view thereof, the aforesaid condition is hereby modified and the applicant is directed to deposit Rs.10.00 lakhs in the Registry of this Court within a period of four weeks from today.

It is made clear that, the said period to deposit the amount of Rs.10.00 lakhs shall not be extended on any count and if the applicant fails to deposit the said amount within the stipulated period, the original condition imposed upon the applicant by the learned Additional Sessions Judge, Thane shall stand revive without further reference to this Court.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)