

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1738 OF 2019**

Shamim Bano Nafis Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Suresh M. Sabrad for the Applicant

Mr. A. A. Palkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 22nd AUGUST 2019

P.C.

1 Heard learned counsel for the applicant.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 160 of 2019 registered with the Bazarpeth Police Station, Kalyan, District-Thane, for the alleged offence punishable under Section 420 r/w 34 of the Indian Penal Code.

3 Learned counsel for the applicant, without going into the merits of the application, and without admitting the applicant's liability,

states that the applicant, without prejudice to her rights and contentions, is ready to deposit a sum of Rs. 7,50,000/- in the Registry of this Court. Learned counsel has tendered an affidavit-cum-undertaking of the applicant. The same is taken on record and marked 'X' for identification. In the said affidavit-cum-undertaking, the applicant has undertaken to deposit Rs. 3,50,000/- by demand draft in the Registry of this Court on or before 27th August 2019 and the balance amount of Rs. 4,00,000/- in four equal instalments of Rs. 1,00,000/- to be paid on or before 23rd September, 22nd October, 22nd November and 20th December 2019 respectively.

4 Without going into the merits, having regard to the affidavit-cum-undertaking tendered by the applicant, applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;

- (ii) The applicant shall report to the Investigating Officer of the

concerned Police Station on 29th and 30th August 2019 from 10:00 a.m. to 12:00 p.m. and thereafter, as and when called;

(iii) The applicant shall deposit Rs. 3,50,000/- by demand draft in the Registry of this Court on or before 27th August 2019 and the balance amount of Rs. 4,00,000/- in four equal instalments of Rs. 1,00,000/- to be paid on or before 23rd September, 22nd October, 22nd November and 20th December 2019 respectively.

(iv) It is made clear that if there is a single default in making the payments as stated aforesaid, protection granted to the applicant shall stand vacated, without further reference to the Court;

(v) The applicant shall not file any application seeking withdrawal of the said amount.

5 The learned Judge, trial Court to pass final orders on the amount deposited by the applicant, at the time of the conclusion of the trial.

6 The application is disposed of on the aforesaid terms. Stand over to 28th August 2019 for recording compliance of deposit of Rs. 3,50,000/-.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.