

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2493 OF 2019**

Shravani Nilesh Sawant

...Applicant

Versus

The State of Maharashtra

...Respondent

Dr. Samarth S. Karmarkar a/w Ms. Supriyanka G. Maurya and Mr. Parag Mishra i/b Karmarkar & Associates for the Applicant

Mr. S. S. Hulke, A.P.P for the Respondent-State

API Mr. Vijay Jadhav from Borivali Police Station, Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 9th SEPTEMBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks her enlargement on bail in connection with C.R. No. 561 of 2017 registered with the Borivali Police Station, Mumbai, for the alleged offences punishable under Sections 420, 408, 201 of the Indian Penal Code.

3 Perused the papers. According to the prosecution, the applicant was working in the hospital of the complainant as a Receptionist-cum-

Accountant-cum-Administrator with effect from 1st April 2016. It is alleged that the fraud/misappropriation came to light some time in August 2017, on going through a receipt given to a patient. The said anomaly in the receipt led to verification of accounts. During verification, it was found that applicant had made overwritings in respect of the amounts received by her and had allegedly misappropriated an amount of Rs. 10,00,000/- during the period of April 2016 to August 2017. It is alleged by the prosecution that from the said amount, the applicant had purchased Refrigerator, Washing Machine, TV, Air-conditioner, etc. Learned counsel for the applicant submits that the allegations are false and baseless. He further submits that the applicant has delivered a pre-mature child, who is about 3½ months. He submits that the applicant is in custody since 28th August 2019. Investigation is complete and charge-sheet is filed. The applicant has no antecedent.

4 Having regard to the peculiar facts of this case and considering that the applicant is a lady, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 15,000/-, for a period of six weeks;
- (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall inform her latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) The applicant to cooperate with the conduct of the trial.

5 The application is accordingly disposed of.

6 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.