

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

ANTICIPATORY BAIL APPLICATION NO. 2424 OF 2019

Vidya Ajay Yalla	...	Applicant
V/s		
State of Maharashtra	...	Respondent

Mr. Priyal G. Sarda, for the Applicant.

Smt. A.A. Takalkar, APP for the State-Respondent.

PC-1512- B.P. Kobarne, attached to EOW, Solapur City present.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th November, 2019

PC :

. This is an application for anticipatory bail in connection with C.R.No. 469 of 2019 registered with Fouzdar Chawadi Police Station, District-Solapur for the offences punishable under Sections 406, 409, 420, 120B, 467, 468, 201 of Indian Penal Code ("IPC" for short) and sections 3 and 4 of Maharashtra Protection of Investors and Depositors Act ("MPID" for short).

2 The First Information Report ("FIR" for short) was lodged by one Shivanand R. Bagalkoti, alleging that he has deposited the money with Onkar Auto Finance in the name of his wife for a period of three years on 06/01/2016. The

This order is corrected as per speaking to minutes order dated 15/11/2019.

receipt was issued with regard to the deposit. Initially the interest was received. Thereafter, the complainant made further deposits. The receipts were also issued in the name of Mahalingeshwar Prasanna Finance which was said to be the sister concern of the aforesaid firm.

3 Learned counsel for the applicant contended that the applicant is not concerned with any of the fraudulent transaction. The applicant was partner of M/s Onkar Finance and she has resigned from the said firm on 12/04/2008. Reliance is placed on the retirement deed. It is further contended that the notice was issued to the applicant that applicant is not concerned with the said firm. Even the income tax returns do not reflect the name of the applicant as a partner of the said firm after her retirement. She has not made any representation to the investors. The alleged transaction had occurred after her retirement. She is not signatory to any document.

4 Learned APP submits that the FIR was lodged in 2019 on instructions from the officer present in the Court, it is submitted that the applicant is not signatory to any receipts or documents. There is no material to indicate that she has

made false representation to any investors. However, statements of the agents of the firm indicate that the applicant had conversation with them with regard to the investments.

5 In the circumstances, it is apparent from the retirement deed that the applicant has retired from the said firm. It is also apparent that the applicant has not signed any document. There are no statements of the investors suggesting that any false representation were made by applicant.

6 In the circumstances, relief can be granted to the applicant. Hence, the order as follows:-

ORDER

- (i) Anticipatory bail application no. 2424 of 2019 is allowed;
- (ii) In the event of the arrest of the applicant in connection with C.R. No. 469 of 2019 registered with Fouzdar Chawadi Police Station, District-Solapur, she be released on bail on her executing PR Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall report the concerned Investigating Officer as and when called for, till filing of the charge-sheet and shall co-operate with investigation.

(iv) Anticipatory bail application stands disposed of.

(PRAKASH D. NAIK, J.)