

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Criminal Application (ABA) No. 431 of 2019

Rashmi Amol Madankar

Vs.

State of Mah. Through P.S. Borgaon Tah. & Dist. Satara

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.A. Dhawas, Advocate for applicant
Mr. M.J.Khan, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JULY 4, 2019

Heard Mr. A.A. Dhawas, learned Advocate for the applicant as also Mr. M.J. Khan, learned APP for the non-applicant / State on whom an advance copy of this application was served.

The learned counsel for the applicant has approached this Court seeking urgent transit anticipatory bail for the applicant in connection with FIR dated 05/06/2019, registered at Police Station Borgaon Dist. Satara against her and three other accused persons for the offences punishable under Sections 420, 465, 467, 468, 471, 472, 475, 120-B R/w 34 of the Indian Penal Code.

The applicant has approached this Court contending that she has serious apprehension of being

arrested by the police officers said to have reached Nagpur from Police Station Borgaon Dist. Satara to arrest her in connection with the said FIR. It is contended that the applicant had met with an accident in the recent past and that she is in such a medical condition that it would be not appropriate that she, being a woman, is arrested and transported all the way to District Satara, which is said to be about 700 Km. from Nagpur. In support of the said contention pertaining to medical condition, documents have been placed on record. It is also submitted on behalf of the applicant that she is ready to co-operate with the investigation and that if transit anticipatory bail is granted for a short period of time, she would approach the appropriate Court for grant of anticipatory bail.

Although, the learned APP has opposed grant of relief in the present application, since this Court is not considering the matter on merits and only on the question of granting an opportunity to the applicant to approach the appropriate Court for grant of anticipatory bail, the contentions raised on behalf of the learned APP are not being considered on merits.

Considering the peculiar facts and circumstances of the present case, particularly as the applicant is a lady and she has undertaken to co-operate with the investigation and the prayer in the present case is made only for grant of transit anticipatory bail to enable the applicant to approach

the appropriate Court, the present application deserves to be granted and limited relief in the following manner is granted to the applicant herein.

(A) In the event, the applicant is arrested in connection with Crime No. 96 of 2019, registered at Police Station Borgaon Dist. Satara, she shall be released on transit anticipatory bail only for a period of two weeks on furnishing PR bond of Rs.20,000/- and surety in the like amount.

It is made clear that this order shall cease to operate on expiry of period of two weeks from today.

(B) During this period of two weeks, the applicant shall approach the appropriate Court for seeking necessary orders.

The appropriate Court would be at liberty to consider the contentions raised on behalf of the applicant on merits without being influenced by this order, as it is made clear that this Court has not passed the present order on merits.

Hamdast is granted.

JUDGE