

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.115 OF 2018

Mrs.Vijaya Dinesh Kunden and others	Applicants
versus	
The State of Maharashtra	Respondent

Mr.Rajesh A. More for applicant.
Smt.Veera Shinde, APP, for State.
Mr.Dnyaneshwar Jadhav i/by Lagasis Partners for complainant.
Ms.Uttara A. Jadhav, API, EOW, Pune City, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd March 2020

PC :

1. Heard both sides. The report of the Investigating Officer was tendered. It is taken on record and marked "X" for identification. Learned APP, on instructions from the officer who is present in Court, submitted that hard disks recovered from the computers from the place of incident, were forwarded for forensic examination and the report from the Cyber Forensic Department has been received in respect to two hard disks. The information is received in the form of C.D. There are about 808 images, 19,442 PDF files, 7,900 excel files, 89 zip files and 1,144 document files. Since the data is of large scale and in the form of accounting, request was made to the higher officials for seeking forensic audit and permission has been granted by the senior officials for forensic audit. The process of inviting tenders for forensic tender is in progress. Learned APP on instructions submitted that the process of inviting tenders and then conducting the examination would take substantial time. The

complicity of accused would be determined on the basis of forensic audit.

2. In the aforesaid circumstances, to enable the investigating machinery to conduct forensic audit as submitted in the report and as submitted by learned APP, presently, following order is passed :

ORDER

- (i) On completion of forensic audit and in the event Respondent-Prosecution seeks arrest of the applicant, 72 hours notice in writing be given to the applicant;
- (ii) In the event such a notice is received, the applicants will be at liberty to apply for anticipatory bail;
- (iii) It is expected that forensic audit will be conducted as expeditiously as possible;
- (iv) Criminal Anticipatory Bail Application No.115 of 2018 is disposed of.

(PRAKASH D. NAIK, J.)

MST