

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

ANTICIPATORY BAIL APPLICATION NO. 1827 OF 2019

Alka Pravin Patil

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Dhananjayrao D. Rananaware, for Applicant.
Smt. A. A. Takalkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 11th FEBRUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 511 of 2019 registered with Satara City Police Station, under sections 406, 504 and 506 of the Indian Penal Code (for short 'IPC').

2. The case in the First Information Report (for short 'F.I.R.') lodged by one Jyoti Pawar is that she was having dispute with her husband. The applicant was arrested in a case lodged by her. When he was granted bail, the informant got scared and tried

to get shelter in remand room. The applicant was Chairman of 'One Stop Crisis Center'. The informant went there. It is her case that she had given her ornaments and cash for safe custody to the applicant. It is further alleged in the F.I.R. that, subsequently the ornaments and cash were not returned and were misappropriated by the present applicant. On this basis, this F.I.R. is lodged.

3. Heard Shri. Rananaware, learned counsel for the applicant and Smt. Takalkar, learned APP for the State.

4. This application is pending since the year 2019. The applicant was protected by an interim order dated 21/08/2019. More than one and half year has passed. In the meantime, the charge-sheet is filed. Learned counsel for the applicant tenders a copy of the charge-sheet. It is taken on record and marked 'X' collectively for identification.

5. Learned APP, on instructions, has made submission based on this charge-sheet. Learned counsel for the applicant submitted that, besides the first informant and her husband, there is no other independent evidence in this case.

6. With the assistance of both learned counsel I have

perused the charge-sheet. There are statements of various witnesses attached to that particular center viz. Vasant Lokhande, Sangeeta Waydande, Priyanka Gangawane, Rajashree Deshmukh, Sanjay Gujar etc. However, none of these witnesses has stated about handing over of lost ornaments by the informant to the applicant. Thus, today the investigation is over and the informant's version has remained uncorroborated by any independent evidence or by independent witnesses.

7. Learned APP, on instructions, states that the gold weighing 17 gm. is recovered in this offence and no further recovery was effected.

8. Considering all these factors and also taking into account that the applicant was on interim protection since August, 2019, at this stage, her custodial interrogation is not necessary. The applicant has attended the concerned police station and has co-operated with the investigation. Therefore, at this stage, the applicant can be protected by final order of anticipatory bail.

9. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No. 511 of 2019 registered with Satara City Police Station, the applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)