

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

ANTICIPATORY BAIL APPLICATION NO. 196 OF 2020

Namrata Dilip Khatri Applicant

Versus
The State of Maharashtra Respondent

Mr. Sanjeev Kadam i/b Vaibhav V. Ugle, for the applicant.
Smt. A.A. Takalkar, APP for the State/Respondent.
API Aniket Pote, Naupada Police Station present.

CORAM: SARANG V. KOTWAL, J.
DATE : 5th APRIL, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 413 of 2019 registered at Naupada Police Station, Thane, under sections 406, 420 read with Section 34 of the Indian Penal Code.

2. Heard Mr. Sanjeev Kadam, learned counsel for the applicant and Smt. A.A. Takalkar, learned APP for the State.

3. Gist of the FIR is that one Chetan Kelkar was

having a travel company known as “ Easy Tours and Travels”. He obtained money from different victims and did not give them any services viz hotel booking and other facilities etc. The allegations against the present applicant are that she represented to some of the victims that she was a partner of that firm.

4. Learned APP submitted that investigation has revealed that the applicant had issued a cheque of Rs. 1,55,000/- from her personal account to one Sabnis. But the applicant had told that victim not to deposit that cheque.

5. Learned APP pointed out that this Court (Coram: Prakash D. Naik, J.) vide order dated 12/03/2021, has recorded that the applicant had deposited Rs. 1,55,000/- in the Registry of this Court, pursuant to the undertaking given on 23/1/2020.

6. Learned APP on instructions of the investigating

Officer Mr. Pote, who is present in the Court makes a statement that, as of today, the investigating agency does not intend to arrest the applicant. This statement is recorded and accepted. She further states that in case some further evidence is found against the present applicant, the investigating agency will give clear four working days' notice to the applicant in connection with this C.R. No. 413 of 2019. This statement is also recorded and accepted.

7. In view of the statement made by learned APP, learned Counsel for the applicant does not press this application at this stage and seeks to withdraw the same. Considering these statements made by both the learned Counsel, following order is passed.

ORDER

- (I) The application is allowed to be withdrawn as not pressed.
- (ii) The Investigating Officer shall give four clear working days' notice to the applicant

to enable her to approach appropriate Court for appropriate relief in case, in future, the investigating agency decides to arrest her in connection with C.R. No. 413 of 2019 of Naupada Police Station.

(iii) The amount deposited by the applicant in the Court, shall be transferred to the Court of Learned Chief Judicial Magistrate, Thane. He shall cause that amount to be deposited in a fixed deposit scheme to be renewed from time to time in accordance with rules.

(iv) If any application is made for withdrawal of that amount it shall be decided by that Court in accordance with law and in accordance with the material produced before that Court in that connection.

(v) The application is disposed off accordingly.

(SARANG V. KOTWAL, J.)