

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.405 OF 2020**

Madhura Mangesh Surve .. Applicant

Versus

The State of Maharashtra .. Respondent

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Ms.Sandhya Mailagir for the Applicant.

Mr.Ajay Patil, APP for the Respondent.

API Mr.Sharad Pawar attached to Mahatma Phule Chowk
Police Station, present.

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CORAM: BHARATI DANGRE, J.

DATED : 30th OCTOBER, 2021

P.C:-

1. The applicant is arraigned as an accused No.2 in C.R.No.I-37 of 2019 registered with Mahatma Phule Chowk Police Station, Dist. Thane, invoking Sections 420, 406, 408 read with Section 34 of the Indian Penal Code.

2. The said offence came to be registered on a complaint, being filed by one Balkrishna Shetty, who was looking after the administration of Shreedevi Hospital, Kalyan and he has alleged that in his hospital, the accused persons in connivance with each other, manipulated the entries in the computer and committed misappropriation of Rs.18,00,000/- and thus caused loss to the hospital.

3. The applicant is admitted to the interim protection by order dated 17/02/2020 and the said protection continue to remain in force till date.

4. My attention is invited to the order dated 22/10/2019 in respect of the co-accused Shubhangi Rajkumar Tiwari where she had agreed to deposit an amount of Rs.9,00,000/- in the J.M.F.C. at Kalyan, without prejudice to her rights and contentions and accordingly, the amount was deposited and she came to be enlarged on anticipatory bail.

5. Learned counsel for the applicant has placed before me a 'No-objection' given by the complainant-Balkrishna Shetty wherein he has acknowledged the receipt of Rs.2,50,000/- in cash from the present applicant and an amount of Rs.2,50,000/- through a cheque drawn in his name. He has, thus, acknowledged that the present applicant has remitted an amount of Rs.5,00,000/- to the complainant. A photocopy of the said 'No-objection' is tendered on record and it is marked 'X' for identification. It is stated by the learned counsel for the applicant that the original is filed before the District Sessions Court. Learned APP, on instructions from the Investigating Officer, who is present in the Court, does not dispute that the applicant had paid an amount of Rs.5,00,000/-, without prejudice to her rights and contentions.

6. In the wake of the aforesaid development, the order dated 17/02/2020 is made absolute, subject to the same

stipulation that the applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(SMT. BHARATI DANGRE, J.)