

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

ANTICIPATORY BAIL APPLICATION NO.975 OF 2019

Sujata Vipul Modi

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

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Ms.Prabha U. Badadare, Advocate for the Applicant.

Mr.Y.y. Dabake, APP for the Respondent – State.

Mr.Anant Upadhyay a/w. Ms.Payal Upadhyay i/b. ANP Chambers,
Advocate for Respondent No.2.

Ms.Sujata Modi, Applicant present in Court.

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CORAM : PRAKASH D. NAIK, J.

DATED : AUGUST 6, 2021.

P.C. :

This is an application for anticipatory bail. The applicant is apprehending arrest in connection with C.R.No.95 of 2019, registered with Chaturshringi Police Station, Pune, for the offences punishable under Sections 419 and 420 of Indian Penal Code (“IPC”, for short).

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2 The complainant is a bank. It is alleged that the

applicant had sought loan in the sum of Rs.24 lakhs, on submitting certain documents relating to the property by way of co-lateral security. Subsequently, it was found that the documents are not genuine. The loan amount of Rs.24 lakhs was not repaid back to the bank. Account was declared NPA.

3 The applicant has tendered Undertaking stating that the outstanding loan amount as on 5th August, 2021, shown against cash credit account No.0495008700014501 standing against SAV Agency from respondent no.2 inclusive of penal interest is Rs.40,93,378.46, and the applicant undertakes to deposit the amount as full and final loan amount to the bank within a period of eight weeks. Applicant is present in Court. She confirms that the affidavit/Undertaking is executed by her. The Undertaking is taken on record and marked “X”, for identification.

4 Copy of the Undertaking is submitted to the advocate representing respondent no.2. Learned counsel for respondent no.2 submitted that since the applicant is undertaking to deposit the aforesaid loan amount fully, conditional order be passed.

5 In view of the Undertaking, this application can be allowed.

:: ORDER ::

- (i) Anticipatory Bail Application No.975 of 2019, is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.95 of 2019, registered with Chaturshringi Police Station, Pune, the applicant be released on bail on executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall comply the Undertaking to repay the amount stated in the Undertaking to the complainant bank within stipulated time.
- (iv) In the event of breach of the Undertaking, respondents will be at liberty to prefer an application for cancellation of anticipatory bail or any other proceedings for non compliance of Undertaking;

- (v) Anticipatory Bail Application No.975 of 2019,
stands disposed of accordingly.

(PRAKASH D. NAIK, J.)