

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

INTERIM APPLICATION NO. 3415 OF 2022

IN

INTERIM APPLICATION NO. 2678 OF 2022

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2311 OF 2019

Ashwini Ajay Lele ...Applicant

Versus

State Of Maharashtra ...Respondent

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Mr. Niranjan Mundargi i/b Mr. Omkar Mulekar, Advocate for the Applicant.

Mr. P. N. Dabholkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th OCTOBER, 2022.

PER COURT:

1. This is an application for relaxation of condition stipulated in order dated 4th December, 2021.

2. The applicant had preferred ABA No.2311 of 2019 before this Court seeking pre-arrest bail in C.R. No.1 of 2017 registered with Dighi Police Station, Pune for the offences punishable under Sections 420, 406, 409, 467, 468, 201 read with 34 of the Indian Penal Code, 1860 and Section 3 and 4 of the MPID Act.

3. Vide order dated 18th October, 2019 interim protection was

granted to the applicant with direction to attend concerned Police Station. The interim relief granted by this Court was Subsequently confirmed vide order Dated 4th December, 2021. However, the applicant was directed not leave the jurisdiction of concerned Court. After filing the charge-sheet the applicants was directed to deposit the passport with the Investigating Officer. It was further directed that, she shall not in any manner tamper with the evidence.

4. Mr. Mundargi appearing for the applicant submitted that, charge-sheet is not yet filed. The applicant has complied the conditions. The applicants husband was arrested and he is in jail. She is Senior Voice President of City Bank and required to travel abroad frequently for official purpose. It is therefore submitted that, the passport be returned to her and she may be permitted to travel as and when necessary with a condition that she shall provide the details of her travel abroad to the Investigating Officer.

5. Learned APP submits that, the condition was imposed considering the factual aspect of the case.

6. It is pertinent to note that vide order dated 4th December, 2021, it was recorded that, the applicant is co-operating with the Investigating Officer and her custodial interrogation is not

required. In paragraph three of order dated 18th October, 2019, the Court has referred to the role attributed to the applicant. Although the application was allowed vide order dated 4th December, 2021 charge-sheet is not yet filed. It appears that, the investigation is in progress.

7. Considering the aforesaid circumstances the relaxation sought by the applicant can be granted.

ORDER

- i.** Interim Application No. 3415 of 2022 is allowed.
- ii.** Order dated 4th December, 2021 passed by this court in ABA No. 3411 of 2019 is modified.
- iii.** The passport of the applicant deposited with the Investigating Officer be returned to the applicant.
- iv.** The condition not to leave the jurisdiction of concerned Court without previous permission of Court is relaxed.
- v.** The applicant is permitted to travel abroad as and when required subject to condition that, the applicant would provide details of travel/itinerary to the Investigation Officer as and when she intends to travel abroad.

vi. The applicant shall report to the Investigating Officer whenever she returns to India after completing her travel plan.

vii. Interim Application No.3415 of 2022 is disposed off.

(PRAKASH D. NAIK, J.)