

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 600 OF 2020**

Kalpana Dhananjay Javir ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Piyush Toshniwal instructed by Mr. Aniket Nikam for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Pranot Pawar for Respondent No.2.

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CORAM : N.R. BORKAR, J.

DATED : 17 APRIL 2023

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending her arrest in Crime No. 217 of 2019 registered at Yerwada Police Station, Pune for the offences punishable under Sections 420, 465, 468, 406 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for Respondent No.2.

4. According to the prosecution, the present applicant and the co-accused, who is the husband of the applicant, had taken Rs.7 lakhs from the complainant on the pretext that they would get his son appointed as Assistant Professor in the college run by Rayat Shikshan Sanstha and duped him of the said amount.

5. This Court on 11 March 2020 passed the following order :

“1. Heard.

2. The learned Counsel for the applicant, on instructions, undertakes to deposit Rs.3,00,000/- (Rs. Three Lakhs only) in the Registry of this Court within two weeks from today. Statement is accepted.

3. Pending application, the learned Sessions Judge had granted interim relief to the applicant which was in force till 26th February, 2020.

4. The applicant to implead the complainant as respondent no.2. Amendment to be carried out within a week.

5. Office shall issue notice to the added respondent no.2 returnable on 15th April, 2020. Stand over to 15th April, 2020.

6. In the meantime, in the event of arrest of the applicant in C.R. No. 217/2019 registered with Yerwada Police Station, Pune he shall be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like sum.

7. The applicant shall attend the concerned Police Station as and when called.

8. The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

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

6. The learned Counsel for the applicant submits that pursuant to the order passed by this Court, the applicant has deposited Rs.3 lakhs with this Court. I have perused the F.I.R. The main allegations are against the husband of the present applicant. Considering the overall facts and circumstances, I am inclined to confirm the order passed by this Court dated 11 March 2020. In the result, the following order is passed :

- (i) Interim order passed by this Court dated 11 March 2020 is hereby confirmed.
- (ii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (iii) The application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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Date: 2023.08.12
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