

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 607 OF 2020**

Suvarna Sanjay Pawar ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Rushikesh Patil for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.
PSI Sandeep Jadhav, Pimpri Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 17 JANUARY 2023

P.C. :-

1. 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. 54 of 2020 registered at Pimpri Police Station, Pune for the offence punishable under Sections 420, 406, 465, 468, 471, 506 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. On 12 March 2020, this Court passed the following order :

“Heard.

1. Prima-facie, it appears, the applicant is not concerned with the alleged transaction between the complainant and applicant's husband. The applicant's husband has been arrested in the subject crime. In view of the facts aforesaid, in the event of arrest of the applicant in C.R.No.54/2020 registered with Pimpri Police Station, Pune for the offences punishable under Sections 406, 465, 468, 471, 506 read with Section 34 of the Indian Penal Code, he shall be released on bail on furnishing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or two sureties in the like sum.
2. The applicant shall attend the concerned Police Station as and when called.
3. The applicant shall furnish the particulars of her place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.
4. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
5. Stand over to 8th April, 2020.”

5. The learned APP submits that the investigating officer is not present. It is submitted that the officer who is present from the concerned police station is not aware about the present matter. On 12 January 2023 also the matter was adjourned as the investigating officer was not present.

6. I have perused the FIR. Prima facie, the reason for filing the FIR appears to be commercial dispute between the husband of the applicant and the complainant. Considering the facts and circumstances of the case, I am inclined to allow the present application. In the result, the following order is passed :

(i) The interim order passed by this Court dated 12 March 2020 is hereby confirmed.

(ii) The Application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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