

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO.2615 OF 2023
WITH
INTERIM APPLICATION NO.3416 OF 2023**

Sabita Bhalotia ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Ashwin Shete a/w. Mr. Yash Pandya and Mr. Gaurav Dalvi i/b. Jayakar & Partners, for the Applicant.

Mrs. Geeta Mulekar, APP, for the Respondent/State.

Mr. Harshil Gandhi a/w. Aasiya, Mr. Rishi Bindra i/b. Rizwan Merchant & Associates, for the Intervener.

Mr. Pradeep Pagare, API, Dadar police station present.

CORAM : N. J. JAMADAR, J.

DATE : OCTOBER 04, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 344 of 2023 registered at Dadar police station for the offences punishable under sections 420, 465, 467, 468, 471, 477-A read with 34 of Indian penal Code, 1860.

3. The indictment against the applicant is that the applicant who is the wife of Dinesh Bhalotia, the principal accused, had received an amount of Rs. 46 lakhs from the Survival Technologies Limited, of which the first informant is the officer, without rendering any

services.

4. The learned counsel for the applicant and the first informant submit that the parties have amicably resolved the dispute in Suit No. 2141 of 2023 and consent terms have been executed. The learned counsel seek leave to tender a copy of the consent terms. Copy of the consent terms is taken on record and marked (X) for identification. The consent terms refer to the instant application as well as underlying first information report.

5. The learned counsel for the first informant submits that the first informant has no objection to grant pre-arrest bail to the applicant in terms of the consent terms (X).

6. Even otherwise, the allegations primarily appear to be against the husband of the applicant. The applicant appears to have roots in the society. Possibility of fleeing away from justice and tampering with evidence seems to be remote.

7. I am, therefore, inclined to exercise the discretion in favour of the applicant.

8. In the event of arrest in C.R. No. 344 of 2023 registered with Dadar police station, the applicant Sabita Bhalotia be released on bail on furnishing a P.R. bond in the sum of Rs. 30,000/- with one or two sureties in the like amount.

9. The applicant shall cooperate with the investigation and

attend Dadar police station, on 7th and 13th October, 2023 in between 10 am to 12 noon till the next date.

10. The application stands disposed.

11. In view of above, interim application also stands disposed.

(N. J. JAMADAR, J.)