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PC Shrinath Kamble, Yerwada Police Station, present.

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DATED : 13 JANUARY 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 his arrest in Crime No. 523 of 2022 registered at Yerawada Police Station, for the offences punishable under Sections 408, 465, 468, 471, 420 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 1 December 2022, this Court passed the following order :

"1. This is an application under Section 438 of the Cr.P.C. filed by the applicant apprehending her arrest in C.R.No.523 of 2022 registered with Yerwada City Police Station, Dist.

Pune for the offences punishable under Sections 408, 420, 465, 468, 471 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Zaid Qureshi learned counsel for the applicant and Mr. V. Shinde learned APP for the State. I have perused the record and considering the submissions advanced by the learned counsels for respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Pradeep Banthia . The FIR prima facie reveals that an amount of Rs.83,90,500/- from the account of Panchsheel Foundation was misappropriated. It is alleged that an amount of Rs.4,80,000/- was transferred in the account of the applicant. Learned counsel for the applicant under instructions states that the applicant shall deposit an amount of Rs.4,80,000/- before this Court, within a period of 4 weeks. He states that 50% of the amount will be deposited within 2 weeks and balance amount will be deposited within 2 weeks thereafter. In the light of the said statement and considering the nature of accusations the applicant is granted interim bail till the next date of hearing, on the following conditions:

1. In the event of arrest of the applicant in Crime No.523 of 2022 registered with Yerwada Police Station, Dist.Pune, she shall be released on bail on execution of PR Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

2. The applicant shall report to the investigating officer, for two days from 5/12/2022 between 11.00 a.m. to 2.00p.m.or as and when required by the Investigating officer.

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

4. The Applicant shall keep the Investigating Officer informed of her current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. *Stand over to 15/12/2022.”*

5. The learned APP on instructions submits that the applicant has complied with the order dated 1 December 2022 and has deposited the amount mentioned in the said order. Considering this fact, I am inclined to allow the present application. In the result, the following order is passed :

- (i) The interim order dated 1 December 2022 passed by this Court is hereby confirmed.
- (ii) The applicant shall attend the concerned police station as and when called 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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