



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

CRIMINAL BAIL APPLICATION NO. 2270 OF 2023

Komal Anil Kedari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Aniket Vagal a/w. Mr. Divesh Mehani, Mr. Kunal Pednekar and Savvy Kolhekar, for the Applicant.

Ms. M. H. Mhatre, APP for the Respondent-State.

Ms. Sarika Jagtap, API, Hadapsar Police Station present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 11th JANUARY 2024

P.C. :

1. Heard Mr. Vagal, learned Counsel appearing for the Applicant and Ms. Mhatre, learned APP appearing for the Respondent/State.
2. This is a regular Bail Application filed under Section 439 of the *Code of Criminal Procedure, 1973* by the Applicant who is Accused No.1.
3. The relevant details are as follows:-

1	C.R. No.	639 of 2023
2	Date of Registration of F.I.R.	27/04/2023

3	Police Station	Hadapsar, District Pune
4	Sections Applied	408, 34 of I.P.C.,1860
5	Date of Incident	01/11/2022 to 26/04/2023
6	Date of Arrest	28/04/2023
7	Date of filing of Chargesheet	23/06/23

4. As per the prosecution case, the main allegation is against Accused No.2-Sagar Suryakant Nakate. Said Sagar Nakate was working as Stock Supervisor with Chandukaka Saraf & Sons Pvt. Ltd. (Gold Showroom), Magarpatta, Hadapsar, Pune. He took away gold ornaments weighing 1246.700 grams worth Rs.79,38,420/- and by pledging the gold ornaments with Muthoot Finance and Manappuram Finance, obtained loan either in his name or in the name of Accused No.1 i.e. the present Applicant and immediately amount has been transferred in the account of Accused No.2-Sagar Suryakant Nakate.

5. Ms. Mhatre, learned APP appearing for the Respondent-State strongly opposes the Bail Application on the ground that the present Applicant has actively supported the Accused No.2-Sagar Suryakant Nakate in the commission of the offence under Section 408 of the Indian Penal Code, 1860.

6. However, the Chargesheet is filed on 23rd June 2023. There are

total 14 witnesses. The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The present Applicant does not have any criminal antecedents.

7. The Applicant does not appear to be a flight risk.

8. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

(a) The Applicant-Komal Anil Kedari be released on bail in connection with C.R. No.639 of 2023 registered with the Hadapsar Police Station, District Pune on her furnishing Personal (P. R.) Bond of Rs.25,000/- with one or two sureties in the like amount.

(b) After being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case there is any change.

(c) The Applicant shall report to the Hadapsar Police Station, District Pune on first Sunday of every month between 11.00 a.m. and 1.00 p.m. till the conclusion of trial. The Police Inspector of Hadapsar Police Station,

District Pune to communicate details thereof to the Investigating Officer.

(d) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing the facts to Court or any Police Officer.

(e) The Applicant shall not tamper with the evidence and shall not contact or influence the Complainant or any witnesses in any manner.

(f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The Applicant shall surrender her passport, if any, to the Investigating Officer.

9. The Bail Application is disposed of.

[MADHAV J. JAMDAR, J.]