

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2539 OF 2023

SANTOSH
SUBHASH
KULKARNI

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Date: 2024.04.02
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Utkarsha Sanjay Pawar

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Vikrant Phatate, for the Applicant.

Mr. Shailesh Ghag, APP for the State/Respondent.

Mr. Anurag Kulkarni, for the Intervener/Dombivali Nagli
Sahakari Bank Ltd.

CORAM: N. J. JAMADAR, J.

DATED: 21st MARCH, 2024

PC:-

1. Heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for the respondent – Bank.

2. The learned Counsel for the Bank – respondent, on instructions, submits that the applicant has deposited the sum of Rs.1,97,000/- as undertaken. By an order dated 26th September, 2023, this Court had granted interim protection and observed, *inter alia*, as under:

“5. Evidently, the allegations in the first information report are such that without involvement of the bank officials, the fraud of such nature is not possible. Whether the applicant was induced to avail the loan by the officers of the bank is the matter for investigation. Since the applicant has shown her willingness to deposit the amount of Rs.1,97,000/- and the applicant is a woman, interim

protection can be granted by directing her to join in the investigation.

6. The applicant, as undertaken, shall deposit an amount of Rs.1,97,000/- with Mahad Branch of Dombivli Nagari Sahakari Bank Limited, within a period of one month from today.

7. Subject to the aforesaid deposit, in the event of arrest in CR No.198 of 2023 registered with Mahad City Police Station, the applicant Utkarsh Sanjay Pawar 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.”

3. As the applicant has deposited the entire amount of loan and she is a woman, further custodial interrogation of the applicant does not seem to be warranted.

4. Hence, the following order:

: O R D E R :

- (i) Order of interim bail dated 26th September, 2023 is made absolute on the same terms and conditions incorporated therein.
- (ii) In addition, the applicant shall regularly attend the proceedings before the jurisdictional court.

Application stands disposed.

[N. J. JAMADAR, J.]