



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.406 OF 2024

(Ms Priya Manohar Pagade Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M. Deo, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 1, 2024.

Heard.

2. By this application, the applicant is seeking pre-arrest bail in connection with Crime No.440/2024 registered with Police Station Gadchiroli, District Gadchiroli for the offences punishable under Sections 409, 420 and 120-B of the Indian Penal Code.

3. The applicant is apprehending arrest at the hands of police in connection with the above said crime as the offences are registered on the basis of report lodged by Auditor Bhaskar Haribhau Pathare. The allegations against the present applicant is that the husband of the present applicant who was working in a Gondwana University has misappropriated the amount worth of Rs.1,46,58,316/- out of which the amount approximately Rs.18,31,618/- is transferred to the joint account of the present applicant and her husband. He submitted that as far as the present applicant is concerned she is not at all concerned with the said transaction. The joint account is also operated by her

husband. Her mobile number is also not registered or connected with the said account. The notice received by the present applicant from the Gondwana university is replied by her wherein also she has already mentioned that it was her husband who was operating the said account. Considering all these facts and after releasing the applicant on ad-interim anticipatory bail, she has cooperated with the investigating agency. The interim protection granted to her deserves to be confirmed.

4. Learned APP strongly opposed the application and submitted that role of the present applicant reveals from the investigation papers as she is having joint account in which amount of Rs.18,31,618/- is already transferred and she is not cooperating with the investigating agency.

5. I have heard learned Counsel for both the parties. Perused the recitals of the FIR from which it reveals that the applicant is arraigned as an accused as only on the basis of amount of Rs.18,31,618/- is transferred to her account. From the investigation papers no other role is attributed to her. As far as the cooperation with the investigating agency is concerned, she is attending the police station but considering the submissions made by the learned APP she shall cooperate with the investigating agency and shall disclose whatever material in case of investigation. Accordingly, I proceed to pass the following order :

(i) The application is allowed.

(ii) In the event of arrest, the applicant - Ms Priya Manohar Pagade in connection with Crime No.440/2024 registered with Police Station Gadchiroli, District Gadchiroli for the offences punishable under Sections 409, 420 and 120-B of the Indian Penal Code, be released on anticipatory bail on executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.

(iii) The applicant shall attend the concerned police station once in a week i.e. on every Saturday between 10.00 a.m. and 1.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.

(iv) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

6. The application is disposed of.

7. The Criminal Application No.963/2024 is also disposed of.

(URMILA JOSHI-PHALKE, J.)