



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2362 OF 2024

NEHA VINOD MALVI ...APPLICANT  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

WITH  
INTERIM APPLICATION NO.814 OF 2025  
IN  
ANTICIPATORY BAIL APPLICATION NO.2362 OF 2024

SAMEER BABURAO GHODKE ...APPLICANT  
**In the matter between**  
Neha Vinod Malvi ...APPLICANT  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

WITH  
INTERIM APPLICATION NO.4606 OF 2024  
IN  
ANTICIPATORY BAIL APPLICATION NO.2362 OF 2024

SUNIL DINDAYAL KESARI AND ANT. ...APPLICANTS  
**In the matter between**  
Neha Vinod Malvi ...APPLICANT  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...  
Adv. Yashpal M. Thakur for the Applicant.  
Adv. Amit A. Palkar APP for the State.  
Adv. Avdhoot Prabhu a/w Adv. R. B. Singhvi i/b Lex Services for  
Respondent No.2  
Adv. Rushikesh Moshra for the Applicant in IA/814/2025.  
Psi Nitin Savane, Dindoshi Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 3, 2025

**PC.:**

1. Mr. Thakur, learned counsel for the applicant submits that the orders passed by this Court have specifically communicated to the applicant. However, she has not given any positive response as far as complying with directions given by this Court. Therefore, he seeks liberty to withdraw his vakalatnama in the present proceeding as an Advocate on behalf of the applicant.

2. Mr. Thakur's appearance is discharged as an Advocate for the applicant in the present proceeding.

3. This court by its order dated 12 September, 2024 had recorded the submissions of the applicant that she is ready to deposit sum of Rs.11,15,000/- with the Registry of this Court. Hence, protection order was granted to the applicant. However, the said amount was never deposited. Therefore, the matter came up before me on 26 February, 2025. Again on 26 February 2025, since no amount was deposited by the applicant, the applicant was granted further time of two days to deposit the outstanding amount. Today morning, when the matter was called out, Mr. Thakur sought short keep back so that he again could contact the applicant, to check whether she has complied with the directions given by this court ?. Today, on second call, when the matter was called out at around 5.40 pm., Mr. Thakur has shown his

inability to appear for the applicant who has not given any kind of positive response. In such a situation, since even the Advocate for the first informant has submitted that according to his knowledge a sum of Rs.11,15,000/- is not deposited with the Registry, neither the said amount has paid to his client. Therefore, I am of the view that the applicant have not complied with the directions given by this court pursuant to the statement made by the applicant herself which was recorded in the order dated 12 September, 2024.

3. The present anticipatory bail application has been filed by the applicant under section 438 of the Code of Criminal Procedure for anticipatory bail in connection with the C. R. No. 575 of 2024 registered with Dindoshi Police Station for the offences punishable under Section 406, 420 r/w Section 34 of the Indian Penal Code. 1860.

4. As per the statement mentioned in the complaint, the FIR has been lodged. The conduct of the applicant/accused has been recorded in the complaint. It appears that the complainant after being acquainted with the applicant was introduced with the scheme of share market, transferred a sum of Rs.15,00,000/- to the account of the applicant. After that the applicant has returned back a sum of Rs.3,50,000/-. The remaining amount was not returned back. Therefore, an FIR was being lodged. It appears on the record that after monies were transferred in the account of the applicant, she transferred

the said amount in the account of Aman Kesari, who is her friend.

5. The mother of the present applicant was granted pre-arrest bail by the Sessions Court. The applicant to show her bona fide, has mentioned on 12 September 2024 that she will deposit a sum of Rs.11,50,000/- by 22 October 2024. Today after passing of more than six months, the said amount has not been deposited. I find no merits in the present anticipatory bail application. Therefore, the anticipatory bail application stands rejected.

6. Pursuant to disposal of the anticipatory bail application, all interim applications pending therein are also disposed off.

**(RAJESH S. PATIL, J.)**