

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

ANTICIPATORY BAIL APPLICATION NO. 3594 OF 2024

Vrushali Vishwas Mundekar

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Kalpesh Patil, for the Applicant.
- Mr. Prashant Jadhav, APP for Respondent – State.

CORAM : MANISH PITALE, J.

DATE : 06th JANUARY, 2025.

P. C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0585 of 2024 dated 15th April, 2024, registered at Karad City Police Station, District Satara, for offences under Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID Act) and Sections 406, 408, 420, 465, 467, 471 and 120-B read with Section 34 of the Indian Penal Code, 1860 (IPC)

3. The informant in the present case, is a special auditor who carried out the audit of the co-operative credit society of which the applicant is one of the directors. There are as many as 24 accused persons, who are the office bearers of executive body of the society as also others. The FIR is based on the

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audit report of the special auditor, wherein certain serious discrepancies were noticed. It was found that loans were disbursed without ensuring proper securities or against such fixed deposits, which were not in existence. Some of the accused office bearers, had caused loans to be disbursed to their own relatives, without taking necessary steps as required under law, to ensure the financial well-being of the aforesaid society.

4. At the outset, the learned counsel for the applicant submits that two similarly situated accused persons have been already granted interim protection by this Court and therefore, in the present application also this Court may consider granting relief. It is highlighted that the applicant is a lady aged about 63 years and the only allegation against her is also that she was one of the office bearers of the executive body of the society in respect of which the special auditor has caused the FIR to be registered.

5. A perusal of order dated 24th October, 2024, passed in Anticipatory Bail Application No.2875 of 2024 (Milind Ramchandra Lakhpati Vs. The State of Maharashtra), as also subsequent order dated 18th November, 2024, passed in Anticipatory Bail Application No.3046 of 2024 (Premlata Chandrakant Bendre Vs. The State of Maharashtra) would show that this Court granted interim relief by making the following observations :

"6. This Court is of the opinion that while the present application can be kept pending, a case for granting

interim relief is made out by the applicant. The FIR in the present case is filed on the basis of the audit report and therefore, the evidence in the present case, is essentially documentary in nature. The applicant has specifically stated that he and his family members themselves have deposits worth about ₹ 1.48 crores with the said society. It is indicated that the applicant and his family members shall not withdraw the said deposits, during the pendency of the investigation and further proceedings. It is also specifically stated that the applicant did not recommend disbursal of any particular loan. It was also stated that neither the applicant nor any of his family members have taken loan from the said society.

7. *In the face of such statements made on behalf of the applicant, a prima facie conclusion can be reached that the applicant or his family members may not have directly benefited from the allegations pertaining to misappropriation of amount of more than ₹ 13 crores. The applicant is ready to co-operate with the investigation and therefore, this Court is inclined to grant interim relief."*

6. Having perused the FIR and the nature of allegations made against the present applicant, this Court is convinced that interim relief can be granted in favour of the applicant also, particularly because she is a woman and a senior citizen aged about 63 years.

7. In view of the above, there shall be interim relief in the following

terms:

- (A) Till the next date, in the event the applicant is arrested in connection with FIR No.0585 of 2024 dated 15th April, 2024, registered at Karad City Police Station, District Satara, she shall be released on bail on furnishing PR Bond of ₹ 50,000/- and one or two sureties in the like amount to the satisfaction of the trial Court.
- (B) The applicant shall appear before the Investigating Officer on 08th January, 2025 between 10:00 am. And 12:00 noon and thereafter as and when required by the Investigating Officer.
- (C) The applicant shall not influence the informant, witness or any person concerned with the case and she shall not tamper with the evidence. She shall cooperate with the investigation.

8. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

9. The present anticipatory bail application be tagged with Anticipatory Bail Application Nos.2875 of 2024 and 3046 of 2024.

10. List this application along with Anticipatory Bail Application Nos.2875 of 2024 and 3046 of 2024, for further consideration on **29th January, 2025, to be included in the "Supplementary List."**

(MANISH PITALE, J.)