



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 678 OF 2025

Deepali Shekhar Garade

..... Applicant

VERSUS

State of Maharashtra

..... Respondent

Mr. Makarand Lonkar i/b. Mr. Manuj Borkar for the Applicant.

Mr. Avinash A. Naik, A.P.P. for the State.

Mr. K. B. Pawar, Police Naik, Lonawala Police Station present.

CORAM : RAJESH S. PATIL, J.

DATE : 13th MARCH, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973, in connection with FIR No. 0192 dated 12th June, 2023 registered with Lonawala Police Station, Pune Rural for the offence punishable under Section 409 of the Indian Penal Code, 1860.

2. On the allegations made in the complaint, an FIR has been lodged.

3. The role of the present applicant has been mentioned in the said FIR.

4. Mr. Lonkar, learned counsel appearing for the applicant submits that the applicant is working in the Post Office. There were certain mistakes on the part of the applicant due to which certain wrong entries have been made and certain amounts were not found. On query being made by the Department, immediately on the next date, those alleged amounts were deposited with the Postal Department.

5. In November 2019, on the day the incident has occurred, the present applicant was suspended. After nine months as per the rules, the applicant was reinstated on service. Further enquiry was held. After Departmental enquiry, an order was passed whereby the salary of the applicant was reduced for five years to the basic pay. The learned counsel for the applicant submits that there is no challenge order passed by the Disciplinary Authority of the Postal Department. The applicant at present is serving with the Postal Department. He submits that the applicant was appointed in the Postal Department on compassionate ground as she had lost her husband who was working

in the Postal Department.

6. The learned A.P.P. submits that taking into consideration the FIR, the allegations made, it will be necessary that the custody of the present applicant will be necessary because the police would like to find out whether she has committed similar kind of offences.

7. I have heard learned counsel and have considered the documents on record including the FIR.

8. The fact remains that the present applicant had committed certain mistakes where she was a postal assistant.

9. It is nobody's case that the applicant has received money from the customers of the Postal Department and has given forged receipts or entries or forged passbooks. Therefore, at the most what the applicant has done is that she has received monies from the customers of the Postal Department, officially she has made entries in the passbooks of the said customers which will show that the amount has been received by the Postal Department. The applicant being the

person accepting the money, will be liable to the Postal Department, as her employer may show that this amount has come into the account. It appears that after the amount being deposited by the customers, the applicant probably has misplaced the said amount. The applicant was suspended by the Department and thereafter reinstated. The disciplinary committee of the Postal Department has punished the applicant by reducing for five years her salary to that of the basic pay.

10. I have been told today by the advocate appearing for the applicant that there is no challenge to the order passed by the Disciplinary Committee. Therefore, at the most, the Postal Department who are the employers of the applicant are satisfied with the punishment imposed on the applicant.

11. According to me, the applicant at present is working with the Postal Department. She is the widow having a daughter of 25 years of age. No purpose will be served if the applicant is taken into the custody. Therefore, the present anticipatory bail application requires to be allowed. Hence the following order :-

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with FIR No. 0192 dated 12th June, 2023 registered with Lonawala Police Station, Pune Rural for the offence punishable under Section 409 of the Indian Penal Code, 1860, the applicant shall be released on bail, on furnishing P.R. bonds to the extent of Rs.15,000/- with two or more sureties of the like amount.
- (c) The applicant shall co-operate with the investigation and attend the Investigating Officer of the concerned Police Station on 19th March 2025 and 20th March, 2025 between 11:00 a.m. to 1:00 p.m. and thereafter as and when called.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

12. **The anticipatory bail application is disposed of.**

[RAJESH S. PATIL, J.]