



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

CRIMINAL APPLICATION (ABA) NO.15 OF 2025

(Rekha w/o Rupdeo Dhote 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. F.S. Chowdhary, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 24, 2025.

By this application, the applicant is seeking anticipatory bail in the event of her arrest in connection with Crime No.346/2024 registered with Police Station Hudkeshwar, Nagpur for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code and Section 81(5)(b) of the Maharashtra Co-operative Societies Act, 1960.

2. The crime is registered on the basis of a report lodged by H.P. Fating, who was working as Auditor Grade-I, Co-operative Society Balutedar, Nagpur. During audit, noticed misappropriation and defalcation of an amount to the tune of Rs.99,39,269/-. At the relevant time, the applicant was the Director, and her husband was the Chairman of the said society. It is alleged that the present applicant along with her husband are involved in the misappropriation of the amount of the depositors. Learned Counsel for the applicant submitted that as far as the role of the present applicant is concerned general

allegations are levelled against her. The other co-accused against whom the main allegations are levelled is already released on bail and considering the same the custodial interrogation of the present applicant is not required. Now, investigation is already completed and charge-sheet is filed. The applicant has cooperated with the investigating agency.

3. Learned APP strongly opposed the application and submitted that considering the fact that the depositors have lost their money in the said misappropriation. Hence, the application deserves to be rejected.

4. After hearing both sides and on perusal of the recitals of the FIR, it reveals that general allegation is levelled against the present applicant. The other co-accused against whom the major allegation is levelled is already released on bail. The applicant is not at a flight risk. Considering all those facts, the interim protection granted to the applicant deserves to be confirmed. Accordingly, I proceed to pass the following order.

(i) The application is allowed.

(ii) In the event of the arrest, the applicant – Rekha w/o Rupdeo Dhote in connection with Crime No.346/2024 registered with Police Station Hudkeshwar, Nagpur for the offences punishable under Sections 406 and

420 read with Section 34 of the Indian Penal Code and Section 81(5)(b) of the Maharashtra Co-operative Societies Act, 1960, be released on anticipatory bail on executing PR. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either physically or through electronic media.

(v) The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*