

ABA 1873/2021

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MHCC050067272021



**IN THE COURT OF SESSIONS, AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO. 1873 OF 2021
(C.R.NO.1116/2021)
(CNR NO.MHCC05-006727-2021)**

Mrs. Swati Shankar Kadam

Age 42 years, Occ : Service,
Residing at Kasal, Tal Kudal, Dist – Sindhudurg,
Also C/o. Flat No. 202/B, Horizon Plaza,
Sandrozbaug, Thane West.

...Applicant/Accused

V/s.

The State of Maharashtra

Through Kasturba Marg Police Station,
C.R.No.1116/2021.

....Respondent

Ld. Advocate Mr. Rathod for the Applicant/Accused.

Ld. APP Mr. R. C. Savle for The State.

**CORAM: H.H.THE ADDITIONAL SESSIONS JUDGE
SHRI D.D.KHOCHHE
(C.R.NO.13)**

DATE : 11TH JANUARY, 2022

ORDER

This is an application for grant of anticipatory bail by Mrs. Swati Shankar Kadam in C.R.No. 1116/21 registered with Kasturba Marg police station for the offences punishable under sections 406, 465, 467, 468, 471, 477(A), 420 of The Indian Penal Code, 1860.

2. Court perused the application and the reply filed. Perused the case diary. Heard the Ld Adv. Mr. Rathod for the applicant/accused and Ld. APP Shri. R. C. Savle for The State alongwith PI Mr. Tawde of Kasturba Marg pl. Stn. Heard Ld. Adv Mr. Dinesh Gupta for the intervenor.

3. Perusal of the FIR, the details of bank, the copies of frequent acceptance letters of misappropriation of school fees in the case diary dated 03.08.2017, 12.08.2018, 03.1.21, 05.03.21, 10.03.21, 15.04.21, 11.05.21,, one letter is after 24.05.21 but undated, show that applicant/accused Swati Kadam admitted to have misappropriated the school fees. By aforesaid letters, she had accepted to repay the amount, but she failed in doing so. In such circumstances, this finds to be an offence punishable under sections 408, 420 alike with other sections applied. Offences are cognizable and non-bailable. Recovery of huge amount near about of Rs. 14,06,030/- is necessary. Therefore, custodial investigation is required for. Consequently, only on the denial that she never committed the offence, the anticipatory bail application cannot be considered. Hence, Court passes following order.

ORDER

Anticipatory Bail Application No. 1873 of 2021 stands dismissed.

(Dictated and pronounced in open Court)

Date: 11.01.2022

**(D. D. KHOICHE)
THE ADDL.SESIONS JUDGE
CITY CIVIL & SESSIONS COURT,
BORIVALI DIVISION, DINDOSHI**

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Dictated on	: 11.01.2022
Transcribed on	: 11.01.2022
Checked & corrected on	: 11.01.2022
Signed on	: 11.01.2022
Sent to Dept. on	:

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CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”

Date : 12/01/2022

Time : 3.30 P.M.

UPLOAD DATE AND TIME

Ms. Tejal C. Rane

(Stenographer Grade-I)

NAME OF STENOGRAPHER

Name of the Judge (with Court room no.)

HHJ D.D.KHOCHE
(Court Room No.13)

Date of Pronouncement of
JUDGMENT/ORDER

11.01.2021

JUDGMENT/ORDER signed by P.O. on

11.01.2021

JUDGMENT/ORDER uploaded on

12.01.2021