

ARJUN
VITTHAL
KUDHEKAR

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ARJUN VITTHAL
KUDHEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.168 OF 2026

Sharad Dayaram Shinde	...Applicant
<u>Versus</u>	
The State of Maharashtra & Anr.	...Respondents

Mr. Sanjeev Kadam, Senior Advocate a/w Onkar A. Wable, for the Applicant.
Ms. M. M. Deshmukh, Additional Public Prosecutor, for the Respondent-State of Maharashtra.
ACP Sandeep Mitke, Crime Branch, Nashik City, present.
PI Nikam, DGP Office, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 29 SEPTEMBER 2026

PC:-

1. Heard Mr. Sanjeev Kadam, learned Senior Counsel for the Applicant and Ms. Deshmukh, learned Additional PP, for the Respondent-State of Maharashtra.

2. By this Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with CR No.164 of 2025 registered with Nashik Road Police Station, Nashik City, for the offences punishable under Sections 3(5), 340(2), 338, 336(3), 318(4) and 316(5) of the *Bharatiya Nyaya Sanhita, 2023* (“**BNS**”).

3. It is the submission of Mr. Kadam, learned Senior Counsel that the Applicant was the Chairman of “Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Taluka Amalner, District Jalgaon” for the period of 2017-2022 and thereafter a Change Report has been filed for the period of 2022-2027, wherein one Dhananjay Ashokrao Hire has been appointed as the Chairman and the Applicant is not concerned with the said period. To substantiate the said contention, reliance is placed on the Change Report submitted under the provisions of the *Maharashtra Public Trusts Act, 1950* with the Office of the Charity Commissioner (Pages 54-55 of Anticipatory Bail Application). It is submitted that the period during which the offence took place is 2022-2024 and, therefore, the Applicant is not involved in the offence. To substantiate the said contention, apart from the Change Report (Pages 54-55) a Consent Letter which was filed by the new Chairman and the body of the Trustees annexed at Page 57 is also relied. It is submitted that in the FIR the names of various Educational Institutions are set out (Page 29), however, the names of the Educational Institutions with which the Applicant was concerned between the period of 2017-2022 is not mentioned and, therefore, the Applicant is not involved in the crime. Insofar as the

prosecution case that the Applicant was seen in a CCTV footage which is the recording of the CCTV installed at Police Station, it is submitted by learned Senior Counsel that as there were press reports stating that the FIR has been lodged against the Trust, to verify the position the Applicant had visited the Police Station.

4. Ms. Deshmukh, learned Additional SPP, submits that the FIR has been lodged on the basis of the statement of Mr. Bhausahab Bhikanrao Chavan, Deputy Director of Education. Learned Additional PP submitted that the subject F.I.R. i.e. C.R. No.164 of 2025 is concerning appointments of about 96 teaching/non-teaching staff in various Schools/Educational Institutions which are in the jurisdiction of Nashik Division. There are about 125 Accused. Learned Additional PP submits that, in fact, during investigation the role of the First Informant who is the Deputy Director of Education is also seen. She submitted that the Applicant is involved in appointment of 32 teaching/non-teaching staff in his capacity as the Chairman of "Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Taluka Amalner, District Jalgaon". Learned Additional PP submits that the appointments of these 32 teaching/non-teaching staff have been made between the

period of 2022-2024, however, in most of the cases, the appointments were shown to be made from 2011-2012 and an amount of Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only) has been received by these teachers/non-teaching staff through their Shalarth IDs towards arrears of salaries from State Government. By relying on the statements of various teachers, it is submitted that the Applicant has taken blank cheques from all these teachers/non-teaching staff and those blank cheques by mentioning various amounts and names of relatives of the Applicant were encashed in the accounts of the Applicant's relatives. Thus, substantial amount out of said amount of Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only) has been received by the Applicant by deposit of the money in the account of the Applicant's various relatives. Although it is the contention of learned Senior Counsel that the Applicant is not involved in the functioning of the said Trust after the period of 2017-2022, however, various statements are pointed out by the learned Additional PP of the staff members of the said Educational Institutions, stating that the Applicant is functioning as the Chairman of the said Educational Institution.

5. As per the prosecution case, the Applicant is the Chairman of Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Taluka Amalner, District Jalgaon for the period of 2017-2022 and even for the period of 2022-2027. The Applicant is concerned with the appointments of 18 teaching staff and 14 non-teaching staff i.e. total 32 teaching/non-teaching staff, appointed in three different Schools conducted by said Trust as per the following details:

- i. Shivaji High School, Amalner (6 teaching staff);
- ii. Jijau Secondary School, Bhilali (8 teaching/8 non-teaching staff members); and
- iii. Bharati Madhyamik Vidyamandir, Kasoda, Erandol (5 teaching/6 non-teaching staff members).

The total amount involved as far as the Applicant is concerned is Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only). As per the prosecution case, although these teachers/non-teaching staff were appointed between the years 2022-2024, their appointments were shown in most of the cases as being appointed from the years 2011-2012 and salaries were drawn from the years 2011-2012 and the same has been paid to the respective teachers/non-teaching staff.

Aggregate salary received by these teachers/non-teaching staff is about Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only). As per the prosecution case, the Applicant has taken many blank cheques from these teachers and by putting the names of Applicant's various relatives' these cheques were deposited in the accounts of the said relatives. Thus, huge amount is received by the Applicant.

6. It is required to be noted that even as per the case of the Applicant, he is the Chairman of said Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Taluka Amalner, District Jalgaon admittedly, for the period of 2017-2022.

7. It is the submission of Mr. Kadam, learned Senior Counsel that for the period of 2022-2027, a new Committee has been formed and the Applicant is not the Chairman and even not the Member of the Executive Committee of the said Trust and the Chairman is one Dhananjay Ashokrao Hire. To substantiate the said contention, reliance is placed by learned Senior Counsel on the Change Report at Pages 54, 55 and 58. A scanned copy of the same is as under:

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परिशिष्ट नं. ३ चेंज रिपोर्टांचा नमुना (कानू १३ (१) पहा) -- बदल अर्जाचा नमुना -- सार्वजनिक ट्रस्टच्या रजिस्ट्रात नमुद केलेल्या तपशिलात झालेल्या किंवा करण्याचो इच्छा असलेल्या फेरफार संबंधी रिपोर्ट	कोर्ट फी स्टॅम्प
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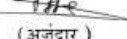
ट्रस्टचे नांव :- कै.दयाराम पिराजी शिंदे बहुउद्देशिय संस्था, लोण खुर्द ता.अमळनेर जि. जळगांव
 ट्रस्टचा संपूर्ण पत्ता :- द्वारा -मु.पो.लोण खुर्द ता.अमळनेर जि. जळगांव
 ट्रस्टचा नोंदणी क्रमांक :- एम . पी. टी अँक्ट १९५० अन्वये एफ / १३९९९ / जळगांव

फेरफाराचे स्वरूप	फेरफाराची कारणे	शेरा
जुने विश्वस्ताचे मंडळातून नावे कमी करणे २०१७-२०२२		
१) श्री.शरद दयाराम शिंदे अध्यक्ष मु.पो. १३९९/१ क /२/अ , सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव	कार्यकारी मंडळाचे मुदत संपल्याने दि.२७.०५.२०२२ रोजी झालेल्या वार्षिक सर्वसाधारण सभेतील ठराव क्रमांक. ०३ प्रमाणे नुत्न कार्यकारी मंडळाची २०२२ ते २०२७ या पांच वर्षे कालावधी करिता निवड.	१. वार्षिक सर्वसाधारण सभेचा अर्जेडा २. अर्जेडा मिळाल्याची पोच ३. वार्षिक सर्वसाधारण सभेचा ठराव. ४. जुन्या विश्वस्तांचे नाहरकतपत्र ५. नविन सभासदांचे संमतीपत्र ६. सभासद यादीची सत्य प्रत ७. विलंब माफी अर्ज ८. विलंब माफीचे शपथपत्र ९. विधानपत्र व नियमावलीची सत्य प्रत. १० नोंदणी प्रमाणपत्राची सत्य प्रत ११. नविन विश्वस्तांचे ओळखपत्र १२. मागील कार्यकारी मंडळाचा मंजूर फेर फार अर्जातील निशाणी-१ व आदेशाची सत्य प्रत.
२) श्री.उमाकांत अशोकराव हिरे उपाध्यक्ष रा.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		
३) सौ.शोभाबाई अशोकराव पाटील सचिव रा.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		
४) सौ.वैशाली शरद शिंदे सदस्य सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव		
५) श्रीमती.रत्नाबाई दयाराम शिंदे सदस्य रा.लोण खुर्द अमळनेर जि.जळगांव		
६) श्री.प्रशांत दयाराम शिंदे सदस्य रा.लोण खुर्द अमळनेर जि.जळगांव		
७) श्री.धनंजय अशोकराव हिरे सदस्य रा.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		
नविन कार्यकारी मंडळ २०२२ - २०२७		
१) श्री.धनंजय अशोकराव हिरे अध्यक्ष रा.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव	करण्यात आली असुन त्यांची आपल्या कार्यालयीन दफतरात (पी. टी. आर. रजिस्ट्रात) नोंद व्हावे	
२) श्री.केलास मोतीराम पाटील उपाध्यक्ष रा. सुरभी कॉलनी अमळनेर जि.जळगांव		
३) श्री.अनिल नथु वानखेडे सचिव रा.वावडे ता.अमळनेर जि.जळगांव		
४) सौ.भारती रविंद्र पाटील सदस्य रा. सुरभी कॉलनी अमळनेर जि.जळगांव		
५) श्री.रविंद्र शांताराम पाटील सदस्य रा. सुरभी कॉलनी अमळनेर जि.जळगांव		
६) श्री.प्रशांत दयाराम शिंदे (पाटील) सदस्य रा.लोण खुर्द अमळनेर जि.जळगांव		
७) सौ.संगिता केलास पाटील सदस्य रा. सरभी कॉलनी अमळनेर जि.जळगांव		

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ठिकाण - जळगांव

दिनांक - / / २०२५


 (अजंदार)

श्री.धनंजय अशोकराव हिरे

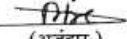
पडताळा

मी श्री.धनंजय अशोकराव हिरे वय ३८ धंदा- नोकरी रा.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव संस्थेचा नविन कार्यकारी मंडळाची निवड झाल्यापासुन अध्यक्ष असुन सत्य प्रतिज्ञा पुर्वक सांगतो की, वरील फेरफार अर्जातील मजकुर माझे माहिती व समजूती प्रमाणे खरी आणि बरोबर आहे. आज दिनांक / / २०२५ रोजी जळगांव येथे स्वाक्षरी करीत आहे.

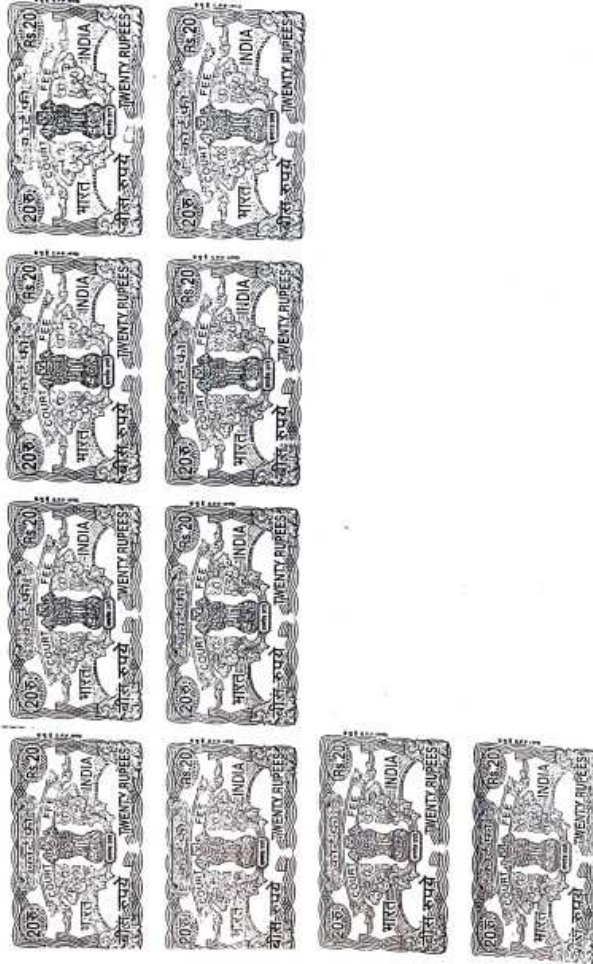
ठिकाण - जळगांव

दिनांक - / / २०२५

आपला विश्वासु


 (अजंदार)

श्री.धनंजय अशोकराव हिरे



मान व नोंदणी क्रमांक: मुकाडा विद्या व गुरुविद्या मंडळ, जखगोय ता. जि. जखगोय
सादर: F/2349/युव

मा. धर्मोदाय आयुक्त म. रा. मुंबई यांचे परिपत्रक क्र. 356 दि. 30/08/2012 अन्वये
अर्जदार श्री. धनंजय आगोबराव दिसापादिक यांनी कोर्टात नमस्कोट ना. निजकावे

1. कलम 22 -अनार्य अर्ज शेंडुयुल 3 नमून्यामध्ये विश्वस्तर्तांचे नावे पत्थानिशी आहे / नाही.
2. फेरफार अर्जास रु. 100/- चे न्यायालयीन मुद्रांक शुल्क जोडले आहे / नाही.
3. बदला संबंधीत समेच्या ठरावाची प्रमाणित प्रत जोडलेली आहे / नाही.
4. नविन विश्वस्त / कार्यकारी मंडळाचे राखणीपत्रक जोडलेले आहे / नाही.
5. जुन्या विश्वस्त / कार्यकारी मंडळाचे ना इरकत प्रमाणपत्र जोडलेले आहे / नाही.
6. बदला संबंधी सर्वसाधारण समेच्या नोटीसीची प्रमाणित प्रत, नोटीस बजावणी केल्याचा पुरावा जोडलेला आहे / नाही.
7. समासदांच्या यादीची प्रमाणित प्रत जोडलेली आहे / नाही.
8. विश्वस्त / कार्यकारी मंडळाच्या समेच्या उपस्थितीबाबत प्रमाणित प्रत जोडलेली आहे / नाही.
9. विश्वस्त / कार्यकारी मंडळाच्या समासदांच्या मृत्यु झाला असल्यास मृत्यु प्रमाणपत्र जोडले आहे / नाही.
10. सार्वजनिक न्यास नोंदवही (मंडळानुसार -1) ची प्रमाणित प्रत जोडली आहे / नाही.
11. पूर्वी बदल झालेल्या असल्यास मंडळाचे मंजूर झालेल्या बदल अर्जाची प्रमाणित प्रत जोडली आहे / नाही.
12. न्यायाच्या नियम व नियमावली / समासपत्र / घटनेची प्रमाणित प्रत जोडली आहे / नाही.
13. प्रतिज्ञापत्रासह विलंब मानाई अर्ज (जर फेरफार अर्ज 90 दिवसांचे आत दाखल केला नसल्यास) जोडलेला आहे / नाही.
14. फेरफार अर्ज हा विश्वस्तारसंबंधी असत तर त्याचे ओळखपत्र व सध्याचा रहिवासी असल्याबाबतचा पत्ता पुरावा जोडला आहे / नाही.

वरील बाबीची पूर्तता करून घ्यायला अर्ज सादर केलेला आहे/नाही. वरील टीक केलेल्या बाबीची पूर्तता करिता अर्जदाराने या ठीकीत राखे अधिकृत केलेल्या वकीलानी कार्यालयात दिनांक / / 20 रोजी हजर राहून पूर्तता करावी दिनांक / / 20 रोजी सकाळी 11.00 वाजता सुनावणीसाठी हजर राहावे.

अभिदाक

(~~Dr. B. K.~~ श्री धनंजय भवाकराव दिर)

8. Yesterday i.e. on 28th September 2026, Ms. Deshmukh, learned Additional PP submitted a photocopy of certified copy of the Change Report which was filed with the Office of the Charity Commissioner by the Applicant in his capacity as the Chairperson of the said Trust. A scanned copy of the same is reproduced herein below:

43-48/2022 परिशिष्ट नं. ३
 22 चेंज रिपोर्टाचा नमुना (कानू १३ (१) मधील नमुना - बदल अर्जाचा नमुना -
 सार्वजनिक ट्रस्टच्या रजिस्ट्रार नमुद केलेल्या तपशिलात झालेल्या किंवा करण्याची इच्छा असलेल्या फेरफर संबंधी रिपोर्ट. 13 JUL 2022 837

द्विस्टचे नांव :- कै.दयाराम पिराजी शिंदे बहुउद्देशीय संस्थेचे लोण खुर्द ता.अमळनेर जि. जळगांव
 द्विस्टचा संपूर्ण पत्ता :- द्वारा -मु.पो.लोण खुर्द ता.अमळनेर जि. जळगांव स.घ.आ. ध.उ.आ.
 द्विस्टचा नोंदणी क्रमांक :- एम. पी. टी अँक्ट १९५० अन्वये एफ / १३९९९ / जळगांव

Exh-01

फेरफराचे स्वरूप	फेरफाराची कारणे	शेरा
जुने विषयस्ताचे मंडळातून नावे कमी करणे २०१७-२०२२	कार्यकारी मंडळाचे	१. वार्षिक सर्वसाधारण सभेचा अर्जेडा
१) श्री.शरद दयाराम शिंदे अध्यक्ष	मुदत संपल्याने	२. वार्षिक सर्वसाधारण सभेचा ठराव.
मु. पो. १३९९/१ क / २/अ, सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव	दि. २७.०५.२०२२	३. अर्जेडा मिळाल्याची पोहोच
२) श्री.उमाकांत अशोकराव हिरे उपाध्यक्ष	रोजी झालेल्या	४. जुन्या विषयस्तांचे नाहरकतपत्र
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव	वार्षिक सर्वसाधारण	५. नविन सभासदांचे संमतीपत्र
३) सो.शोभाबाई अशोकराव पाटील सचिव	सभेतील ठराव क्रमांक.	६. सभासद यादी.
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव	०३ प्रमाणे नूतन	७. विलंब माफी अर्ज
४) सो.वैशाली शरद शिंदे सदस्य	कार्यकारी मंडळाची	८. विलंब माफीचे शापयपत्र
सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव	२०२२ ते २०२७ या	९. विधानपत्र व नियमावली
५) श्रीमती.रत्नाबाई दयाराम शिंदे सदस्य	पांच वर्षे कालावधी	१० नोंदणी प्रमाणपत्र
ग.लोण खुर्द अमळनेर जि.जळगांव	करिता निवड.	११.मयत सदस्यांचे मयत
६) श्री.प्रशांत दयाराम शिंदे सदस्य	करण्यात आली असून	झाखल्याची सत्य प्रत
ग.लोण खुर्द अमळनेर जि.जळगांव	त्यांची आपल्या	
७) श्री.धनंजय अशोकराव हिरे सदस्य	कार्यालयीन दप्तरात (	
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव	पो. टी. आर.	
	रजिस्ट्रार) नोंद व्हावे	
नविन कार्यकारी मंडळ २०२२-२०२७		
१) श्री.शरद दयाराम शिंदे अध्यक्ष		
मु. पो. १३९९/१ क / २/अ, सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव		
२) श्री.उमाकांत अशोकराव हिरे उपाध्यक्ष		
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		
३) सो.वैशाली शरद शिंदे सचिव		
सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगांव		
४) श्री.अशोक भिलाजी पाटील सदस्य		
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		
५) श्रीमती.रत्नाबाई दयाराम शिंदे सदस्य		
ग.लोण खुर्द अमळनेर जि.जळगांव		
६) श्री.प्रशांत दयाराम शिंदे सदस्य		
ग.लोण खुर्द अमळनेर जि.जळगांव		
७) श्री.धनंजय अशोकराव हिरे सदस्य		
ग.१७३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगांव		

सार्वजनिक न्यास नोंदणी कार्यालय जळगांव आवक नो. ५८१८ दिनांक १४/७/२२

9. Perusal of Pages 54, 55 and 58 annexed to the Anticipatory Bail Application and certified copy which has been obtained by the Investigating Officer from the Office of the Charity Commissioner, *prima facie*, shows that the Applicant has annexed to this Anticipatory Bail Application forged and fabricated Change Report. The Change Report which has been annexed to the Anticipatory Bail Application at Pages 54-55 shows that the Applicant was the Chairman and Member of the Executive Committee for the year 2017-2022, whereas for the period of 2022-2027 a new body was elected and the Chairman is shown to be one Dhananjay Ashokrao Hire. The Reporting Trustee for the Change Report is said Dhananjay Ashokrao Hire. The photocopy of certified copy of the Change Report which the learned Additional PP has tendered shows that the Applicant continued to be the Chairman for the period of 2022-2027. Accordingly, said photocopy of the certified copy of the Change Report as submitted by learned Additional Public Prosecutor is taken on record and marked "X" for identification.

10. Since, *prima facie*, it is clear that the forged and fabricated documents have been annexed to this Anticipatory Bail

Application, this Court by Order dated 28th September 2026 directed the Applicant to remain present in this Court today. The said Order dated 28th September 2026 reads as under:

“1. During the course of hearing, it transpires that a copy of the Change Report which has been annexed to this Anticipatory Bail Application is a fabricated document, as Ms. Deshmukh, learned Additional PP, has submitted a photocopy of certified copy of the Change Report, which shows the name of the present Applicant as the Chairman and Member of the Board of Trustees even for the period of 2022-2027. The document which has been produced on Page 54 of the Anticipatory Bail Application shows one Dhananjay Ashokrao Hire as the Chairman for the period of 2022-2027.

2. Thus, prima facie, the document which is annexed to the Anticipatory Bail Application is a forged and fabricated document.

3. Accordingly, the Applicant - Sharad Dayaram Shinde shall remain present in this Court tomorrow.

*4. Stand over to **29th September 2026 at 03:00 pm.***

5. Till next date, no coercive action be taken against the Applicants.”

However, today the Applicant - Sharad Dayaram Shinde is not present in the Court.

11. Mr. Kadam, learned Senior Counsel submits that the learned Advocate on record has informed about the Order dated 28th September 2026 of this Court to the Applicant but inspite of the

same, the Applicant is not present in the Court. However, Mr. Kadam, learned Senior Counsel submitted that the Applicant has sent a certified copy of the Change Report on WhatsApp, wherein the name of said Dhananjay Ashokrao Hire is shown as the Chairman for the period of 2022-2027. The said copy which has been sent by the Applicant to the learned Advocate on record on WhatsApp has been tendered in the Court and is marked “Y” for identification. A scanned copy of the same is as follows:

Gsh.

फेरफारी स्वल्प	फेरफारी कारणे	रोज
<u>जुने विस्थापित मंडळातून नावे काढी कारणे २०१७-२०२२</u> १) श्री.शरद दयाराम शिंदे अध्यक्ष मु.पो. १३१९/१ क/२/अ, सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगाव २) श्री.उमाकांत अशोकराव हिरे उपाध्यक्ष त.१०३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगाव ३) सौ.शोभाबाई अशोकराव पाटील सचिव त.१०३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगाव ४) सौ.वैशाली शरद शिंदे सदस्य सुरभि कॉलनी अमळनेर ता.अमळनेर जि.जळगाव ५) श्रीमती.रत्नाबाई दयाराम शिंदे सदस्य रा.लोग खुर्द अमळनेर जि.जळगाव ६) श्री.प्रशांत दयाराम शिंदे सदस्य रा.लोग खुर्द अमळनेर जि.जळगाव ७) श्री.धनंजय अशोकराव हिरे सदस्य त.१०३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगाव	कार्यकारी मंडळाचे मुदत संपल्याने दि.२७.०५.२०२२ राजी झालेल्या वार्षिक सर्वसाधारण सभेतील ठराव क्रमांक. ०३ प्रमाणे नुलन कार्यकारी मंडळाची २०२२ ते २०२७ या पांच वर्षां कालावधी करिता निवड. करण्यात आली असुन त्यांची आपल्या कार्यालयीन दस्तार पो. टी. आर. रजिष्टरत) नोंद व्हावे	१. वार्षिक सर्वसाधारण सभेचा अर्ज २. अर्जद्वारे मिळालेल्या पोष ३. वार्षिक सर्वसाधारण सभेचा ठराव. ४. जुन्या विस्थापित नाइकराव ५. नविन सभासदांचे संमतीपत्र ६. सभासद यादीची सत्य प्रत ७. विलंब माफी अर्ज ८. विलंब माफीचे शपथपत्र ९. विधानपत्र व नियमावलीची सत्य प्रत. १० नोंदणी प्रमाणपत्राची सत्य प्रत ११. नविन विस्थापित ऑडिटपत्र १२. मागील कार्यकारी मंडळाचा मंजूर फेर फार अर्जातील व आदेशाची सत्य प्रत
<u>नविन कार्यकारी मंडळ २०२२-२०२७</u> १) श्री.धनंजय अशोकराव हिरे अध्यक्ष त.१०३/११ मधुर निवास पाटील कॉलनी अमळनेर जि.जळगाव २) श्री.केलास मोतीराम पाटील उपाध्यक्ष रा. सुरभी कॉलनी अमळनेर जि.जळगाव ३) श्री.अनिल नव्यु वानखेडे सचिव रा.वावडे ता.अमळनेर जि.जळगाव ४) सौ.भारती रविंद्र पाटील सदस्य रा. सुरभी कॉलनी अमळनेर जि.जळगाव ५) श्री.रविंद्र शंताराम पाटील सदस्य रा. सुरभी कॉलनी अमळनेर जि.जळगाव ६) श्री.प्रशांत दयाराम शिंदे (पाटील) सदस्य नाव रा.लोग खुर्द अमळनेर जि.जळगाव ७) सौ.संगिता केलास पाटील सदस्य रा. सुरभी कॉलनी अमळनेर जि.जळगाव	१८९०/२६ Adv. J. S. ... - १६ - - २५/०७/२६ - १५/०७/२६	Regi. u/s 19, 22, 33, 41-A of 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 5

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12. In view of the said contention, Ms. Deshmukh, learned Additional PP points out the Order dated 8th May 2023 passed by the learned Assistant Charity Commissioner-II, Jalgaon Region, Jalgaon in Enquiry No.43 of 2022, wherein it is specifically stated that the subject application was moved by the Applicant/reporting trustee Shri Sharad Dayaram Shinde i.e. the present Applicant under Section 22 of the *Maharashtra Public Trusts Act, 1950* for reporting change taken place in the Executive Committee of public trust, namely, Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Tq. Amalner, Dist. Jalgaon and in the said Enquiry Change Report was accepted and further directed that the entry of the same shall be taken in Schedule-1 of Public Trust register of the tenure 2022 to 2027. The said Order of the Assistant Charity Commissioner-II, Jalgaon Region, Jalgaon, as as follows:

“ORDER BELOW EX.1

Subject application is moved by the applicant / reporting trustee Shri. Sharad Dayaram Shinde under Sec.22 of Maharashtra Public Trusts Act, 1950 for reporting change taken place in the executive committee of public trust namely, Kai. Dayaram Piraji Shinde Bahuuddeshiya Sanstha, Lon Khurd, Tq.Amalner, Dist.Jalgaon registered at registration No.F-13999 /Jalgaon. The inquiry is unchallenged / undisputed.

02. *The applicant has come up with a case that the*

*aforesaid public trust is registered under Maharashtra Public Trusts Act, 1950 bearing registration No.F-13999/Jalgaon. As per the rules & regulations of the trust, tenure of acting executive committee has completed. Hence, on 27-05-2022 an annual general meeting was arranged. **In said meeting fresh / new executive committee was elected for tenure of 2022 to 2027. Therefore, present change report/application is filed for reporting said change.***

03. The application is supported by the no objection of outgoing trustees at Exh.02, consent letter of incoming trustees at Exh.03, list of members' at Exh.09, certified copy of public trust registration application, constitution / rules & regulations of the trust at Exhs.11 & 12, 13, death certificate of Shobhabai Ashokrao Patil at Exh. 16 and change report Enquiry No.1779/2018 at Exh.10.

04. Applicant has filed his evidence affidavit at Exh.17. The contents in the affidavit are well supported by minutes of proceeding book extract of annual general meeting dated 27-05-2022 at Exh.08 and its agenda & agenda received at Exhs.06 & 07.

05. It is seen from the record that the trust had been de registered by way of a judgment and order dated 21/02/2022 passed by Id. Predecessor of this authority in Suo Motu Inquiry No. 1187/2019. The applicant filed on record at Exh.05, the copy of Revision Appeal No. 102/2022 and the copy of judgment and order dated 07/12/2022 wherein the order of de registration of the trust was set aside and the trust had been regularized in to it's original number.

06. To the satisfaction of this authority, the change is according to the rules & regulations of the trust. Therefore, the change is legal & valid. Hence, proceed to pass following order -

ORDER

1) The Enquiry Change report No.43/2022 is accepted.

2) The entry of the said shall be taken in Schedule-1 of Public Trust register for the tenure 2022 to 2027.”

13. Perusal of the Change Report which has been annexed to the Anticipatory Bail Application shows that the Reporting Trustee is Dhananjay Ashokrao Hire, whereas the Order which has been passed by the Assistant Charity Commissioner shows that the Reporting Trustee is the Applicant i.e. Mr. Sharad Dayaram Shinde for reporting change for the period of 2022-2027.

14. Thus, it is very clear that not only the Applicant has annexed forged and fabricated documents to the Anticipatory Bail Application to contend that he is not the Chairman and Member of the Executive Committee of the Trust for the period of 2022-2027 but again created forged and fabricated document purported to be certified copy of Change Report and sent the same to the learned Advocate appearing for the Applicant on WhatsApp. As noted earlier, the same is taken on record and marked “Y” for identification.

15. Learned Additional Public Prosecutor has pointed out

statements of various staff members of the three Education Institutions managed by the said Trust stating that all these appointments of teaching/non-teachings staff were made between the period of 2022-2024 and that the Applicant is the Chairman of the said Trust.

16. This is a case where, *prima facie*, about 32 teaching/non-teaching staff have been appointed from the period of 2022-2024 and most of them have been shown to be appointed from the years 2011-2012 and by making such false claim, the salaries of these teachers/non-teaching staff have been claimed from the years 2011-2012 and in such manner aggregate salaries paid to these teachers/non-teaching staff are to the extent of Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only). The said arrears of salaries have been paid by the State Government.

17. It is significant to note that during investigation the statements of various staff members of these three Schools were recorded which shows that the Applicant has taken several blank cheques from these teaching/non-teaching staff and on the basis of

such blank cheques various huge amounts have been credited to the accounts of his relatives.

18. It is further significant to note that during investigation 'Inward/Outward' register maintained by the Deputy Director has been seized and the same is in the Police Station. During investigation, it transpired that the Applicant had visited the Police Station and with the active cooperation of Mr. Ashok Giri, Senior Police Inspector of Nashik Road Police Station has made changes in the said registers by inserting some entries to show that Shalarth Orders are of the year 2021 and were received by the said Trust. The relevant screenshots of the CCTV footage show that said Ashok Giri, who was at the relevant time Senior Police Inspector and now who has been made an accused ensured that the said register was taken to the ante-chamber. Thereafter, the Applicant went to the ante-chamber on 4th June 2025 at 15.56.55 and he was in the ante-chamber till 16.46.07 i.e. for more than about 50 minutes.

19. The relevant screenshots of CCTV footage as produced by the learned Additional PP are scanned and reproduced herein below for ready reference:

१४:३७:५८ वा. स्क्रीन शॉट :- वपोनि. अशोक गिरी हे पोहवा/पवार यांना लाल रंगाचे आवक/जावक रजिस्टर अँप्टी चेंबर मध्ये नेवुन ठेवणे बाबत हाताच्या इशान्याने सांगत आहेत.



१४:३८:०६ वा. स्क्रीन शॉट :- वपोनि. अशोक गिरी यांचे आदेशाप्रमाणे लाल रंगाचे आवक/जावक रजिस्टर पोहवा/पवार अँप्टी चेंबर मध्ये घेवुन जात आहेत.



१४:३८:३४ वा. स्क्रीन शॉट :- वपोनि. अशोक गिरी यांचे आदेशाप्रमाणे लाल रंगाचे आवक/जावक रजिस्टर पोहवा/पवार अँप्टी चेंबर मध्ये घेवुन जात आहेत.



समक्ष

Pholake
(रामदास शेळके)
वरिष्ठ पोलीस निरीक्षक
आर्थिक गुन्हे शाखा, नाशिक शहर

पंचांच्या सहया

१) F/Roz

२) H/RV/CW

8171

१५:५६:५५ वा. स्क्रीन शॉट :- शरद शिंदे हे वपोनि.अशोक गिरी यांचे कॅबीन मध्ये येवुन अॅप्टी चेंबरमध्ये जाताना दिसत आहेत.



१६:४६:०७ वा. स्क्रीन शॉट :- अॅड.किरण पाटील व शरद शिंदे हे अॅप्टी चेंबर मधुन बाहेर येताना दिसत आहेत.



समक्ष

phelabre
(रामदास शेळके)
वरिष्ठ पोलीस निरीक्षक
आर्थिक गुन्हे शाखा, नाशिक शहर

पंचांच्या सहाय्य

१) F (P02

२) ३५/३५१ CH

48

१६:४६:४६ वा. स्क्रीन शॉट :- अड. किरण पाटील यांचे सोबत आलेला सडपातळ बांध्याचा इसम अॅप्टी चेंबरमधुन बाहेर येताना दिसत आहे.



१७:०४:५५ वा. स्क्रीन शॉट :- पोहवा/पवार लाल रंगाचे आवक / जावक रजिस्टर अॅप्टी चेंबर मधुन वपोनि.गिरी यांचे टेबलवर आणुन ठेवताना दिसत आहे.



समक्ष

पंचांच्या सहया

१) F1R02

२) आरका/५

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20. Although it is the contention of learned Senior Counsel that the Applicant went to the Police Station for making enquiry as there were press reports regarding filing of the police complaints against the Trust, however, he could not explain why the Applicant went to the ante-chamber, why the said register was taken to the ante-chamber and why the Applicant was in the ante-chamber for almost about 51 minutes.

21. Learned Additional PP has also produced said original Inward/Outward Register showing the new entries made and also pointed out the statement of Sandeep Shamsundar Pawar, Police Hawaldar, stating that these entries were written in the said register in the ante-chamber.

22. Thus, this is a very serious case where the teachers who have been appointed in illegal manner in the years 2022-2024, have been shown to be appointed from the years 2011-2012 and their salaries have been claimed from the years 2011-2012 and huge amount of Rs.3,66,22,103/- (Rupees Three Crore Sixty-Six Lakh Twenty-Two Thousand One Hundred Three Only) has been paid to these teachers/non-teaching staff by the State Government. Huge

amount out of the said salaries received by these teachers/non-teaching staff have been transferred to the account of various relatives of the Applicant, by using the blank cheques which these teachers/non-teaching staff have given to the Applicant. Forged and fabricated documents are annexed to the Anticipatory Bail Application. Forged and fabricated document showing to be the certified copy of the Change Report is created and sent today by WhatsApp to the learned Advocate on record of the Applicant and the same is purported to be a certified copy of the Change Report. However, the same is forged and fabricated can be seen from the Order which has been passed by the Assistant Charity Commissioner as in the said Order the Applicant is the Reporting Trustee, whereas the Change Report on which the Applicant has relied (Pages 54-55 and Page 58 of Anticipatory Bail Application) and Exhibit-Y shows that the Reporting Trustee is said Dhananjay Ashokrao Hire. Thus, it is clear that the Applicant is relying on forged and fabricated document.

23. The Supreme Court in the decision of *State Rep. by the C.B.I. v. Anil Sharma*¹, has held that the custodial interrogation is

1 (1997) 7 SCC 187

qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with a favourable order under Section 438 of the *Code of Criminal Procedure, 1973* i.e. Section 482 of BNSS. The effective interrogation of suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. The said observations of the Supreme Court are squarely applicable to the present case. Thus, for effective interrogation of Applicant in this serious case, custodial interrogation is necessary.

24. It is settled legal position that grant of anticipatory bail is very extraordinary remedy. The said power is not to be used in regular course.

25. Accordingly, the Anticipatory Bail Application is dismissed. The ad-interim protection granted to the Applicant stands vacated forthwith.

26. Ms. Deshmukh, learned Additional PP, states that, by looking

to the magnitude of the crime and as more than such 1,000 teaching/non-teaching staffs have been appointed in many Educational Institutions in the State of Maharashtra during the period of 2022-2024 by making show of their appointments from earlier period of about more than 10 years and as there are number of Accused are involved, the Director General of Police, Maharashtra State has issued detail instructions for thorough and comprehensive investigation.

27. Thus, in the facts and circumstances, no case is made out for grant of anticipatory bail.

28. The Anticipatory Bail Application is rejected.

29. It is clarified that the observations made in this Order are only *prima facie* observations made for the purpose of deciding the Anticipatory Bail Application. The Trial Court shall decide the case on its merits, uninfluenced by the *prima facie* observations made in this Order.

[MADHAV J. JAMDAR, J.]