

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.423 OF 2015

Dinesh Parshuram Wagankar ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.R.S. Bidkar for the Applicant

Mr.S.S. Pednekar APP, for Respondent – State

Mr.Santosh Jadhav, API, Pnavel City Police station – present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JULY 3, 2015**

P.C.:

1. This application is moved for bail as the applicant/accused was arrested in connection with C.R. No.378 of 2014 which was registered at Panvel City police station for the offences punishable under sections 4675, 467, 468, 474 of the Indian Penal Code at the instance of one Pravin Vilas Dandawate, Chief Manager, Panvel branch of the State Bank of India.

2. It is the case of the prosecution that the on 13.10.2014, the co-accused Ganesh Lalaram Kori produced one fake FDR of Rs.100 crores of one Snehal group and company. The complainant suspected the genuineness of that FDR and on verification, found that it was fake. Therefore, he lodged the complaint. During the course of investigation, the police found involvement of the applicant/accused and hence, the

applicant was arrested on 3.12.2014 and since then, the applicant/accused is in prison. Hence, this bail application.

3. The learned Counsel for the applicant/accused submitted that the applicant is innocent. He has not committed any offence. Moreover, whatever documents and the material as are allegedly used for forgery are already seized by the police. He further submitted that recovery panchanama of the material so also the other documents which are seized by the police on 4.12.2014 is doubtful as the same set of panchas are used continuously in all the panchanamas by the police. Moreover, memorandum was recorded on 15.32 hrs. The remand dated 4.12.2014 discloses that the learned Judge has noted down the accused was produced before him at 3.20 pm. So this memorandum is also manipulated. He, therefore, prays for bail.

4. Learned Prosecutor has opposed the application. He submitted that the panchanama is not manipulated. As per the instructions given by the Investigating Officer, the distance between the police station and the Panvel Court is hardly one kilometre and therefore, the panchanama is not manipulated.

5. Perused the FIR. Prima facie, the involvement of the applicant/accused in the offence is seen from the record. However, it is the offence of forgery. On query, it is found that there are criminal

antecedents to the record of the applicant/accused. All the documents and the material which were allegedly used for the forgery is seized by the police on 4.12.2014. Further, chargesheet is filed. Considering this, I am inclined to grant bail on the following conditions:

- i) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.30,000/-, with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence;
- iii) The applicant shall not indulge into any kind of offence much less the offence of fraud and forgery, while on bail;
- iv) The applicant shall furnish his residential address to the Investigating Officer and attend all the Court dates;
- v) In the event of breach of any of the above conditions, the prosecution is at liberty to move for forthwith cancellation of bail.

6. Bail application is disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)