

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 639 of 2015

Dattatraya Haribhau Ghorpade ..Applicant.
Vs
The State of Maharashtra ..Respondent.

Mr Balwant V. Salunkhe, Advocate for the applicant.
Mr S.S.Pednekar, APP for the State.

CORAM : A. R. JOSHI, J.
DATE : 5th May, 2015

P.C.

1) Heard rival submissions for sometime on this application for anticipatory bail preferred by the applicant who is facing charges for the offence punishable under section 420 of the IPC in C.R.No. 83 of 2015 registered with Shirur Police Station, Pune.

2) A complaint is lodged by Block Development Officer of Panchayat Samittee, Shirur regarding giving of forged and fabricated documents by the applicant and another co-accused for obtaining the subsidy for excavation and construction of well. Police have seized all the said documents from the concerned Authorities. The said documents were submitted in the year 2008 and offence is registered in the year 2015.

3) During the arguments, the learned Counsel for the applicant stated that other two co-accused having similar allegations against them as those against the present applicant, were released on anticipatory bail by this Court vide order dated 28th April, 2015 (Coram: Smt. Mridula Bhatkar, J). He stated that on parity the present applicant is entitled for ad-interim relief. Counter to the above argument, the learned A.P.P. for the State stated that though the allegations against the present applicant are at par with those against the said co-accused, the present applicant is not that old as the other applicants were of the age more than 65 years and the present applicant is only 55 years old. Apart from this, the learned APP stated that the case against the present applicant is at par as against the other co-accused who were granted anticipatory bail.

4) Considering the above submissions and considering the registration of the case after more than seven years and considering that the documents are already seized by the Investigating Agency, in the opinion of this Court, the present applicant can be granted the relief as prayed. Hence, the order.

ORDER

(A) Application is allowed;

(B) In the event of arrest of the applicant in C.R.No. 83 of 2015, Shirur Police Station, he shall be

released on bail on his executing a P.R. bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(C) In the event of arrest and after availing the bail, the applicant shall attend the concerned police station on every first Sunday of the month between 10:00 a.m. to 12:00 noon for the period of six months;

(D) The applicant shall co-operate with the Investigating Agency by giving his specimen handwriting and signatures etc.

With the above directions the application is disposed of.

(A. R. JOSHI, J.)