

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.719 OF 2015

Shri Alka Rajendra Jadhav & Anr.	..Applicants.
versus	
The State of Maharashtra	..Respondent.
.....	
Mr. Harshad E. Palwe for the Applicants.	
Smt. A.A. Mane, Addl. P.P. for the State.	
.....	

CORAM : A.S. GADKARI, J.
(VACATION COURT)

21st May 2015.

P.C. :

The applicants have filed the present application under Section 438 of Cr.P.C. for releasing them on anticipatory bail in C.R. No.I-105 of 2015 registered at Panchavati Police Station, Nashik.

2 The present case depicts the classic example as to how the accused persons can take undue advantage of the criminal justice system and take it for a ride. The Applicants were accused in C.R. No.3029 of 2015 under sections 3(1)(x) of the Schedule Caste Scheduled Tribes (Prevention of Atrocities) Act and also under Section 4 and 8 of the Protection of Children from Sexual Offences Act. The Special Court had granted anticipatory bail to the Applicants. In pursuance of the conditions imposed upon by the Sessions Court the applicants are released on anticipatory bail in Cr. No.3029 of 2015.

3 Applicants submitted solvency certificate of the person by name Kiran Sonawane r/o. Bamnod, Taluka Yaval, District Jalgaon.

Solvency certificate was produced before the Court of competent jurisdiction. It raised suspension in the mind of trial Court about its genuineness and authenticity. The said solvency certificate therefore, was forwarded to the Tahsildar Yaval. The Investigating Officer thereafter received a report that said solvent certificate is bogus solvency certificate and stamps imprinted thereon are also forged. A separate First Information Report bearing C.R. No.I-105 of 2015 under Sections 466, 468, 471, 472, 473, 474, 475, 476 r/w 34 of I.P.C. dated 28.3.2015 has been registered at Panchavati Police Station, Nashik, wherein applicants are apprehending arrest and therefore the present Anticipatory Bail Application under Section 438 of Cr.P.C.

4 Undoubtedly allegations made in C.R. No.105 of 2015 are of utmost serious in nature. The applicants have taken the criminal justice system for a ride and have shown scant respect towards the order passed by the earlier Court in their favour. In view of the above, I find that the custodial interrogation of the applicants is necessary for the purpose of finding out the procurement of the Government seals and the bogus solvent certificate. As stated above, the present offence being at very serious nature, the custodial interrogation is necessary and application for anticipatory bail is rejected.

(A.S. Gadkari, J.)