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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.1268 OF 2015

Babu Narayan Mudliyar

...Applicant

Versus

State of Maharashtra

...Respondent

Mr.Nilesh U. Masurkar, for the Applicant

Mr.S.S.Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 15TH SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-378 of 2014, registered with the Panvel City Police Station, Navi Mumbai, for the alleged offences punishable under Sections 420, 465, 467, 468, 474 r/w 34 of the Indian Penal Code.
3. The complainant is one Pravin Vilas Dandavate, the Chief Manager of Panvel Branch of State Bank of India. He has alleged that on 13th October, 2014 one Ganesh Lalaram Kori, a co-accused produced a forged and fabricated FDR for a sum of Rs.100 crores of one Snehal Group

and Company. As the complainant suspected the genuineness of the said FDR, he verified the said document and found that it was a forged and fabricated document. Pursuant thereto, he lodged a complaint with the Panvel Police Station, alleging the aforesaid offences. During the course of investigation the police found that one Dinesh Parshuram Waigankar was involved in the said act. Pursuant to which Dinesh Waigankar was arrested on 3rd December, 2015. The present applicant working along with the said Dinesh Waigankar in Snehal Group and Company was also arrested.

4. Learned Counsel for the applicant seeks bail on the ground of parity. He submits that similarly placed co-accused - Dinesh Waigankar who is alleged to have forged and fabricated the said FDR, has been enlarged on bail by this Court (Coram:Mrs.Mridula Bhatkar,J.) vide order dated 3rd July, 2015. He, thus, seeks bail on the ground of parity. According to the learned counsel the applicant was only an employee of Dinesh Waigankar. He further submits that even otherwise all the documents have been seized by the police and charge sheet has been filed in the said case.

5. Learned APP does not dispute that co-accused - Dinesh Waigankar has been enlarged on bail and that the role allegedly played by the applicant is similar to that of the said accused.

6. It appears that all the documents including the forged and fabricated document have been seized and are in the custody of the police. Charge-sheet has been filed in the said case. Co-accused - Dinesh Waigankar, who is similarly placed as the present applicant has been enlarged on bail. There are no antecedents, qua the present applicant.

7. Considering the aforesaid, the applicant deserves to be enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 30,000/- with one or two sureties in the like amount;

(ii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the

Court seized of the matter and to the Investigating Officer of the concerned Police Station;

iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case ;

(iv) The applicant to cooperate with the conduct of the trial;

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/order.
