

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.437 OF 2013

Anthony John Rananaware
Versus
State of Maharashtra & Ors.

....Applicant.
...Respondents.

Mr. Abhijeet A. Desai, advocate for the Applicant.
Ms. Veera Shinde, APP for the respondent-State.
Ms. Kalyani Tulankar i/by Mr. S.B.Deshmukh, advocates for the respondent nos.2 to 7.
Mr. Prathmesh B. Bhargude, advocate for the respondent nos.8 and 9.
I.O. Ms.D.A.Kekalekar attached to Samarth Police Station, Pune City present.

CORAM : MRS. MRIDULA BHATKAR, J.
DATED : April 1, 2015.

P.C.:

This is an application for cancellation of anticipatory bail granted by the Additional Sessions Judge, Pune on 25th July, 2013 as the applicant/accused are facing charges under Sections,420, 409, 410 and 411 of the IPC. Investigation is carried out pursuant to the orders passed by the learned Magistrate under Section 156(3) of the Cr.P.C. There are 8 respondents-accused. The learned prosecutor informs the Court on taking instructions from the IO, who is present in the Court that charge-sheet is filed against all the accused on 20th July, 2014. The respondents

are facing charges under Sections 420,406, 409,419, 410, 411, 465, 467, 468, 472, 475 , 167and 120B of the IPC. The learned prosecutor informs that the police have filed “C” summary on 20th July, 2014. It is submitted by the prosecutor on instructions that “C” summary is pending. The learned counsel for the applicant-accused has submitted that fraud is played by the respondent nos.2,3,4,5 and 6. Respondent no.2 is head master. The complainant is president of the school. According to him, it is 100% un-aided school. However, accused nos.2 to 6 have submitted forged documents showing that they are regular. It was misrepresented that all the teachers were regularized and these representations were made by using on fake and forged letter heads of the school and bogus seal and stamp of the school for school Board and Pay and Accounts office and, therefore, custodial interrogation of the respondents-accused nos.2 to 6 is required for proper investigation.

2 The learned counsel for the respondents-teachers and head-master submitted that accused are on bail since last about two years and they have neither committed any breach nor pressurize witnesses or interfere with the investigation.

3 The learned prosecutor submitted that the police have collected all the necessary documents and during the investigation, I.O. did not find any substance.

4 After hearing the submissions, I do not find that the order

passed by the learned Judge granting pre-arrest bail is perverse or baseless and is to be cancelled. Considered report of "C" summary. If any offence is committed then it is against the school board, however, the board has no grievance against the respondents. The summary report discloses otherwise that the applicant has done certain wrongful acts while running the school. Be that as it may, this is not a case of cancellation of the pre-arrest bail. Hence, application is dismissed.

(MRS.MRIDULA BHATKAR, J.)