

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.189/2015

Mrs.Upasna w/o Nitin Sidam.vs.State of Maharashtra, thr. PSO P.S.Sadar, Nagpur

AND

CRIMINAL APPLICATION (ABA) NO.253/2015

Satish Suresh Kangale & anr.vs.State of Maharashtra, thr. PSO P.S.Sadar, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. D. Chande, Advocate for applicants.

Mrs. K. S. Joshi, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 17, 2015.

Heard learned counsel for the rival parties. Seen the impugned order. Seen the reply filed by the prosecution.

Apparently, investigation in the present crime is at a very crucial stage.

The present case is one of the fence eating the crop. The applicant is working as clerk with the Treasury Office of the Collectorate. The allegations are that by putting account number of her husband, sister and cousin sister, amount of the Government was siphoned out, which stood deposited in the account of the husband, sister and cousin sister. The amount is still not brought back in the Government account.

In that view of the matter, custody of the applicants is very essential since the public money must come back. The learned counsel for the applicant-Mrs. Upasna Sidam, submits that she belongs to Scheduled Tribe and that is the reason why she has been

hounded by other jealous employees. Having indulged into the serious crime, the applicant is trying to take advantage of her belonging to Scheduled Tribe, which attitude must be condemned.

Be that as it may, the chart given by the learned A.P.P. in para 3 of the reply is self explanatory. It is reproduced below.

Pension Holdes & Family Pension Holder	P.P.O. No.	Duration	Account holder name and No.	Transfer amount
Mr. Salil C. Sen	3/1/BOM/N/428	28.2.2013 to 31.12.2014	Mrs. Sarika S. Kangale- SBI A/c No. 20154503146	5,76,933.00
Mr. Rani Devi A. Johari	3/1/NGP/4627	28.2.2013 to 29.5.2014	Mr. Nitin Keshav Sidam-SBI a/c 31165288206	1,46,166.00
Mr. Ruth B. Bhengare	4/1/570308	31.12.2013 to 1.12.2014	Mr. Nitin Keshav Sidam-SBI a/c 31165288206	3,57,282.00
Mrs. Tarabai Sarpate	3/1/NGP/3527	8.11.2012 to 31.12.2012	Mr. Nitin Keshav Sidam-SBI a/c 31165288206	44,383.00
Mr. Ganesh Raut	1/1/NGP/6004	2.4.2014 to 1.12.2014	Ku. Manish Suresh Shrirame, CBI A/c 3223388157	5,38,956.00
Mr. Bakul Roy		19.11.2012	Mr. Nitin Keshav Sidam-SBI a/c 31165288206	1,42,969.00
Mr. Shriram Sinappa		27.2.2013	Mrs. Sarika S. Kangale- SBI A/c No. 20154503146	21,157.00
Smt. Suhasini Khelkar		4.10.2013	Mrs. Sarika S. Kangale- SBI A/c No. 20154503146	1,99,368.00
Tulsiram Bhanarkar		21.12.2012 to 18.3.2013	Ku. Manish Suresh Shrirame, CBI A/c 3223388157	42,640.00
			Total	20,69,854.00

The chart clearly shows pilferage. The honest tax payers pay their moneys to the Government. But those who have control over the Government money directly or indirectly have no shame in

siphoning out the Government moneys in the manner as done in the present case. The tax payers' money is thus being misappropriated everywhere.

In the result, I find no merit in these applications. Hence, I make the following order.

ORDER

- (i) Criminal Application Nos.189/2015 and 253/2015 are rejected.
- (ii) The State Government to complete the departmental enquiry against the Government servants involved, within a period of six months from today.

JUDGE

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