

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [ABA] No.395 of 2015
[Pramodsingh Sardarsingh Gaur & another Vs. State of Mah.]

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

Court's or Judge's orders

Mr. N.L. Jaiswal, Adv., holding for Mr. A.M. Ghare, Adv., for the Applicants.

Mr. S.S. Doifode, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 09th September, 2015.

01. Heard Mr. N.L. Jaiswal, learned counsel for the applicant and Mr. S.S. Doifode, learned APP for the respondent-State.

02. The applicants are apprehending their arrest in connection with Crime No. 102/2013 registered with Police Station, Ansing, Distt. Washim, for the offences punishable under Sections 407, 409, 417, 420, 468, 472 and 474 read with Section 34 of Indian Penal Code.

03. The Applicant No.1 is a retired Junior Engineer, whereas the Applicant No.2 is still in service and is discharging his duty as a Deputy Engineer.

04. One Laxman Ganpat Bhagat filed a private complaint against the present applicants and others.

According to the reply filed on behalf of the prosecuting agency, the sum and substance of the allegations against the accused persons is that in spite of the fact that the Accused No.1 was not having an agricultural land, the benefit under the "Prime Minister Package Scheme" was extended for digging up a well. From the reply itself, it is clear that the investigating agency has seized all the documents, including bills, the measurement book and various letters. In that view of the matter, in my view, the custodial presence of the present applicants is not required.

It is also not the case of the prosecution that the applicants will not be available to the course of justice or they will tamper to the prosecution case. In that view of the matter, I make the following order:

ORDER

[a] Criminal Application [ABA] No. 395 of 2015 is allowed.

[b] The Applicants - [1] Pramodsingh Sardarsingh Gaur, and [2] Sudarshan Devidas Ralekar be released on bail in the event of their arrest in connection with Crime No. 102/2013 registered with Police Station, Ansing, Distt. Washim, for the offences punishable under Sections 407, 409, 417, 420, 468, 472 and 474 read with Section 34

of Indian Penal Code on their executing a Personal Bond of Rs.20,000-00 [rupees twenty thousand only] each with one solvent surety each.

- [c]** The Applicants shall attend the Police Station on 4th October, 2015. On the said date, the applicants shall remain with the Investigating Officer from 2.00 p.m., to 5.00 p.m., for the purpose of investigation.

With this, the application is allowed and disposed of.

Judge

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