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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 375 OF 2016

Kamlesh Jalendar Vanjare

..Applicant.

Vs.

The State of Maharashtra & Anr.

..Respondents

Mr. Ramji B. Gupta for applicant.

Ms. A.T. Javeri, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 1st March 2016.

P.C.

1 The applicant apprehends arrest in CR No.2 of 2016 dated 2.1.2016 registered with Wadala T.T. Police Station under Sections 420, 465, 466, 468, 471 read with Section 34 of IPC.

2 The FIR is lodged by Shri S.H. Chavan, Assistant Motor Vehicle Inspector attached to the Regional Transport Office, Wadala on 2.1.2016. It is stated in the said FIR that in pursuance of the directions of the Government of Maharashtra the concerned Department has called for Online applications for distributing auto-rickshaw permits by way of lottery system. In the said Scheme, 5796 persons submitted their

applications. The first lot about 3000 applications was scrutinized and during the said scrutiny it was found that many persons have submitted forged and/or bogus certificates pertaining to their educational qualification, school leaving certificates and other related documents which were required for getting an auto-rickshaw permit. The present applicant is one of such persons who found to have submitted bogus and/or forged documents while making application for the said scheme. In the premise the FIR is lodged.

3 The learned Counsel for the applicant submitted that the applicant in fact had never given any forged and/or fabricated documents belonging to him to the concerned Department. He submitted that it is the agent who has committed the said act. He has nothing to do with the present crime. That the applicant has been falsely implicated in the present crime.

4 It is to be noted here that though the applications were filled in by electronic media, at the time of scrutiny of the said applications by the concerned Authority, it was noticed and found that the documents which were submitted or forwarded to the concerned Authority at the time of filling of forms, either differ or are bogus and the applicant could not produce the original documents of the same. The said Authority has prima

facie came to the conclusion that the applicant has submitted forged and/or fabricated documents for getting the auto-rickshaw permit. It has been further revealed that the concerned school authority never issued any school leaving certificate in favour of the applicant.

5 In view of the above, prima facie it is clear that, with a view to get the auto-rickshaw permit in his favour, the applicant has submitted forged and fabricated documents to the Government Agency. It is therefore necessary for the Investigating Agency to find out the truth behind the present crime and also the racket involved in the present crime who has supplied forged and/or fabricated documents to various applicants as mentioned in the FIR. According to me the custodial interrogation of the applicant is necessary for the said purpose.

6 After taking into consideration the serious allegations against the applicant and the gravity of the offence, in my opinion, this is not a fit case to grant pre-arrest bail to the applicant. The application is accordingly dismissed.

(A.S. GADKARI,J.)

