

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO. 3474 OF 2017**

Sudamati w/o Sunil Munde, Age 48      ... **Applicant.**  
years, Occ. Household, R/o. K.V.  
Nagar, Barshi, Tq. Barshi,  
Distr. Solapur.

**V E R S U S**

The State of Maharashtra,      ... **Respondent.**  
Through Kranti Chowk Police  
Station, Aurangabad, Tq. & Dist.  
Aurangabad.

Mr. S. S. Jadhavar, learned Advocate for the Applicant.  
Mr. A. R. Borulkar, A.P.P. for the respondent/State

**CORAM : K.L. WADANE, J.**

**DATE : 27<sup>th</sup> July, 2017**

**ORDER :**

1.            Heard Mr. Jadhavar, learned counsel  
appearing for the applicant and Mr. Borulkar, learned  
APP appearing for the respondent/state.

2.            On 26.05.2017 one Sarangdhar Jadhav lodged  
complaint at Kranti Chowk Police Station alleging that  
one another accused Trimbak Bangar was working as an  
Engineer in Irrigation Department, who has caused  
misappropriation of Government fund through a labour  
society namely Bhadra Labour Society by fabricating

documents with further allegations that all the members of the society were family members. It was alleged that, the applicant was one of the member of the society. She was family member of Trimbak Bangar. On the basis of the said complaint first information report came to be registered at Crime No. 536/2017 at Kranti Chowk Police Station.

3. It is further alleged that, another accused Trimbak Bangar was working as a Sectional Engineer in Minor Irrigation Department and he was instrumental in registration of the Co-Operative Society in the name of Bhadra Labour Society. It is further alleged that, in collusion with the government officers he obtained various works. However, without doing any work he accepted the amount and therefore he has misappropriated the amount in Crores.

4. Learned APP opposed the bail application on the ground that the formation of Bhadra Labour Society is based on fabricated documents. He further submits that the concerned Gramsevak has reported the documents annexed with the proposal of the formation of the society were false.

5. Mr. Jadhavar learned counsel submits that, the society was registered in the year 2010 and the work orders were issued during the period from 2013 and 2014. Mr. Jadhavar learned counsel further drawn my attention to the letter issued by the Executive Engineer Minor Irrigation Aurangabad dated 16.09.2015 wherein it has been specifically mentioned that, as per the work orders issued by the District Deputy Registrar Aurangabad the said society has done the work as per law. Such work was inspected by the concerned officer. Therefore, there is no substance in the allegation that the members of the society have committed misappropriation or corruption of Crores of rupees.

6. Learned counsel Mr. Jadhavar further points out the report of Enquiry Officer and the Auditor Co-Operative Societies (Flying Squad) Aurangabad dated 02.12.2015 addressed to the Divisional Deputy Registrar Aurangabad and in its concluding para it is opined that the members of the society were admitted as per the sanction given by the Deputy Registrar, therefore, their admission as a member on the basis of

bogus record appears to be not proved. The wife, son and mother of Trimbak Bangar were members of the society. However, all of them have resigned on 30.05.2015 and 31.05.2015. It is further opined that the society has completed in all 15 works and there was no misappropriation or corruption of the government money.

7. In view of the specific and candid opinion given by the authorities and the fact that the present applicant is member of the society, I am of the opinion that, the custodial interrogation of the present applicant is not necessary. The investigating officer can very well collect the alleged forged documents from the office where it was alleged to be submitted by accused Trimbak Bangar. Hence, following order.

O R D E R.

(1) Application is allowed.

(2) In the event of arrest of the applicant in connection with Crime No.536 of 2017, registered with Kranti Chowk Police station, Aurangabad District

Aurangabad, she be released on bail on her furnishing P.R. bond of Rs. 15,000/- (Rupees fifteen thousand only), with one surety in the like amount.

(3) The applicant shall co-operate the further investigation and attend the Kranti Chowk police station as and when called by the investigating officer for the purpose of investigation.

7. Criminal Application is disposed-of.

( K.L. WADANE, J. )

mkd/-