

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.672 OF 2017

Sidharth Popat Kadlak	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.Nitin Dalvi for the applicant.
Mr.S.R.Agarkar, Additional Public Prosecutor for the respondent.

CORAM : T.V. NALAWADE, J.
DATE : 16th August 2017

P.C. :

1. The application is filed for the relief of anticipatory bail in C.R. No.109 of 2017 registered with Khed Police Station, Pune for the offence punishable under Sections 170, 420, 467, 468, 471 of the Indian Penal Code. Both the sides are heard. Papers of investigation were made available for perusal of this Court.

2. A crime is registered on the basis of report given by the officer of the Panchayat Samittee (Circle Officer) Khed. The present applicant was working in Women and Children Welfare Section and he retired due to superannuation on 31st May 2016. At the time of retirement, he is expected to hand over charge of things and records to the employee who was taking charge of his post. Allegation against him is that he did not hand over the complete charge and due to that, there was suspicion and so committee was constituted to verify the things. When the committee made an enquiry, it was noticed that there were many irregularities. It was noticed that the charge of as many as 78 floor mills was not handed over. It was also noticed that the false record of

allotment of floor mills was created by him and even when there was no sanction, in 11 cases, the floor mill was given to the person who was not entitled to get benefit. He prepared a false and forged list of 57 beneficiaries. He had collected 10% amount from the beneficiaries on the value of floor mills as per the scheme but that amount of Rs.12,467/- was not credited in the account of the office. In reply affidavit, it is contended by the State that there was possibility of involvement of other employees and so custodial interrogation is necessary.

3. Learned counsel for the applicant drew attention of this Court to some inconsistencies which can be found in the First Information Report if it is compared with the report of the committee. Though there are some inconsistencies, the fact remains that there is serious allegation against him that he did not hand over the charge of the aforesaid articles and some records and this was done probably to conceal his wrong, offence. After detailed enquiry, the aforesaid things are noticed. Such incidents are increasing day by day and poor persons are not getting benefits of such government scheme due to the wrong of the persons like applicant. This Court holds that due to creation of false record and for not giving floor mills to the person entitled and for making money by showing false disposal of the floor mills, the applicant is not entitled to get any discretionary relief. Custodial interrogation is necessary. In the result, the application stands rejected. Interim relief is vacated.

T.V. NALAWADE, J.