

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.661 OF 2017

Hanumant Ramchandra BhosaleApplicant
V/s.
The State of Maharashtra & Anr.Respondents

Mr. Kuldeep S. Patil i/by Mr. S.S.Chaudhari, Advocates for Applicant.
Mr. J.P.Yagnik, APP for the Respondent-State.

**CORAM :- R.M. SAVANT &
SANDEEP K. SHINDE, JJ.**

DATE :- 12TH SEPTEMBER, 2017.

PC. :-

The above Application has been filed for quashing of the FIR registered with Khandeshwar Police Station, Navi Mumbai for the offences punishable under Sections 406, 409, 417, 420, 465, 466, 467, 468, 471 read with Section 34 of IPC. The Applicant at the relevant time was working as Project Officer in the Integrated Tribal Development Programme of the Government of Maharashtra. Under the aegis of the said Tribal Development Department, two schemes for the benefit of Adivasis/Adivasi students were being implemented. The first scheme was the 'English Speaking Course'

for the Adivasi students and the second was providing sewing machines and providing training to the Adivasis. The gravamen of the allegation against the Applicant and the other Accused is that they have siphoned the funds meant for the said schemes without the benefit being made available to the objects of the said scheme. In so far as the Applicant is concerned, it is stated in the FIR that while sanctioning the release of funds, the Applicant has not taken note of the notings on the file as also the report of the Inspector. It is stated in the FIR that when the alleged beneficiaries were questioned, the said beneficiaries informed the investigating agency that they have not received benefits under the said two schemes. In so far as the Applicant is concerned, it appears that he was concerned with the first scheme, i.e., the scheme involving 'English Speaking Course' for Adivasi students. The learned counsel for the Applicant endeavoured to demonstrate to us that no overt act has been attributed to the Applicant relating to the release of funds. The learned counsel also sought to draw our attention to the documents which have been referred to in the FIR. We are unable to accept the contentions raised on behalf of the Applicant. We have gone through the FIR as well as documents which have been referred to in the FIR. Prima-facie, in our view, it cannot be said that there is no case

to proceed against the Applicant. We restrain ourselves from making any further observation as regards the material available, at this stage lest it affects the Applicant in the trial. No case for grant of any reliefs is, therefore, made out. The Application is accordingly rejected.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)