

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1336 OF 2017

Navnath Vitthal Arjun ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Kuldeep Patil, i/b Prashant S. Hagare, for the
Applicant.

Mr. S.H. Yadav, APP for the State/Respondent.

CORAM: T.V. NALAWADE, J

DATED: 10th August 2017

PC:-

1. The Application is filed for relief of anticipatory relief in Crime No.190 of 2017 in Walchandnagar Police Station, Pune, for the offences punishable under Sections 420, 467, 468 and 471 of Indian Penal Code. Both sides are heard.

2. The crime is registered on the basis of report given by Development Officer of Shelgaon, Taluka Indapur, District Pune. He is working in Education Department of Panchayat Samiti, Indapur. His work involves inspection of the records of the schools under his jurisdiction and give directions for the compliance of the deficiencies. In a report, he has mentioned that present Applicant had submitted medical

bill for reimbursement on 26th October 2016 in respect of amount spent by him, who is Assistant Teacher, for the treatment of his wife. As record produced is of suspicious in nature, Health Officers were appointed to make enquiry. They made enquiry by visiting the dispensary, where the treatment was shown to be taken and they gave report. There was a report of the committee on the basis of record of Nursing Home and information was supplied that they charged amount of Rs.3,150/-. As against that amount the Applicant had claimed reimbursement of Rs.27,900/-. It appears that the Applicant took stand that he had actually spent more amount on medicine, but he had claimed less amount on medicine. This stand of the Applicant cannot be accepted as the material collected shows that false record of bill was created by the Applicant, a Teacher, for getting more amount from the Government though the actual amount is not paid. It is clear attempt of cheating and for that false record was created by the Teacher. Government money is involved in the matter. This Court holds that custodial interrogation is necessary. After custodial interrogation, it is possible to ascertain whether he had taken reimbursement of more amount than the entitlement in the past.

3. In the result, the Anticipatory Bail Application stand rejected. Ad-interim relief stands vacated.

(T. V. NALAWADE, J.)