IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1529 OF 2017

Manjindarsingh Mangasingh Tadda ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.Sachin B. Chandan, Advocate for the Applicant.

Mr.R.M.Pethe, APP for the Respondent/State.

Mr.Ajit Jadhav, API, Khadakpada Police Station, Kalyan.

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CORAM : A.M.BADAR J.

DATED : 10th OCTOBER 2017.

P.C. :

1 The applicant/accused in Crime No.115 of 2017 for offence punishable under Sections 420, 464, 465, 471, 468, 484, 485 and 120-B read with Section 34 of the Indian Penal Code registered with Khadakpada Police Station, Kalyan (W), is seeking pre-arrest bail.

2 Heard the learned Advocate appearing for the applicant/accused. He argued that the applicant is owner of two motor vehicles, out of which one was intercepted by the officer of the RTO and when driver of the applicant showed tax receipts,

those were found to be forged one. The learned Advocate drew my attention to Orders dated 19th September 2017 and 26th September 2017 to point out that as directed by this Court, the applicant had attempted to give name of agent whose services were availed by the applicant for payment of road tax, but the Investigator did not accept that name of the agent and subsequently, this Court was directed to ask the applicant to hand over the name of the agent to Assistant Commissioner of Police, Kalyan Division. It is further pointed out that the applicant has paid the tax with penalty as tax receipt in his possession delivered to him by his agent were found to be forged.

3 The learned Additional Public Prosecutor opposed the application by contending that the cellphone number supplied by the applicant alleged to be that of the agent is not working since last six months and there are contradictions in the version of the applicant.

4 *Prima facie,* it appears to be a case of big scam in which agent operating in the RTO are cheating vehicle owners by accepting the amount from them and issuing fabricated receipts in the name of the RTO. The applicant appears to be one of the victim of such crime. The learned APP has accepted the fact that so far as other vehicle of the applicant is concerned, the tax receipts thereof are genuine. It is now for the Investigator to

investigate matter thoroughly in order to unearth the scam and to nab the kingpin. So far as the applicant is concerned, I do not feel it necessary to have his custodial interrogation in the light of the developments which took place by now. Therefore, the Order :

(i) The application is allowed.

(ii) The Order dated 31st August 2017 granting ad-interim order is confirmed on same terms and conditions.

(iii) In addition, the applicant / accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.

(A.M.BADAR J.)