IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2121 OF 2016

Vijay Ramchandra Khatade ... Applicant

Vs.

The State of Maharashtra .. Respondent

Mr.A.P. Mundargi, Sr.Adv. I/b Vipin Bidkar for the Applicant
Mr.Y.M. Nakhwa, APP, for Respondent – State
Mr.D.N. Dhole, PSI, Bundgarden police station, Pune City – present

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 9, 2017

P.C. :

1. This application is moved for pre-arrest bail as the applicant/accused is facing charges under sections 420, 465, 468, 471 of the Indian Penal Code in C.R. No.283 of 2016 registered with the Bundgarden police station, Pune. The complainant is working as a Manager in ICICI Lombard GIC Company Ltd. The applicant/accused had insured his vehicle i.e., Tempo with the insurance company i.e., ICICI Lombard Insurance company and was having a valid policy till 29.3.2015. The said policy was not renewed and unfortunately the applicant/accused met with an

accident on 8.4.2015 in which one person lost his life. In order to obtain the insurance benefits, the applicant/accused alongwith the co-accused one Mangesh Bhogle, agent, prepared a false forged insurance policy of New India Assurance Company Ltd. showing a valid period from 8.4.2014 to 7.4.2015 and the said policy was submitted to the complainant company. This policy was prepared to avoid vehicle inspection. The complainant company believed the bogus policy of New India Assurance Company which was valid upto 7.4.2016 and therefore, issued a fresh policy in continuation from 8.4.2015 to 7.4.2016 for the vehicle. Thereafter, on enquiry, the complainant insurance company realised that the insurance policy for the period from 8.4.2015 to 7.4.2016 of New India Assurance Company was forged and thus, the insurance company was cheated. Hence, the complaint was registered.

2. The learned Counsel for the applicant/accused has submitted that the applicant/accused has not presented any policy. The policy was prepared by the co-accused Mangesh Bhogle. The applicant/accused is ready to cooperate with the police and he has no criminal record. Hence, the interim bail granted earlier, be confirmed.

3. Learned Prosecutor has opposed the bail application. He submitted that the policy of New India Assurance Company Ltd. is forged by the applicant/accused alongwith the company employee Mangesh Bhogle. The custody of the applicant/accused is required for further investigation in respect of forged documents.

4. Perused the FIR and the papers placed before the Court. Undoubtedly, the applicant/accused is a beneficiary of the forged policy. However, the forged policy is seized by the police and the applicant/accused is ready to cooperate with the police. As a statement is made by the learned Senior Counsel for the applicant that the applicant is ready to give specimen handwriting and shall cooperate with the police in the investigation, and also since the applicant has no criminal antecedents, I am inclined to confirm the ad-interim order passed by this Court on 13.12.2016 on the same terms as under:

i) In the event of arrest, the applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount;

ii) The applicant/accused shall attend the concerned police station once in a week i.e., on every Thursday, between 2pm to 5pm, till filing of the chargesheet;

5. Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)