

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.60/2017

Ashok S/o Ramkrushnaji Tiwaskar

..Vs..

State of Maharashtra, through P.S.O. P.S. Hingna, Distt. Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.N. Upadhyay, Adv. for the applicant.
Shri S.P. Deshpande, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 15.6.2017.

Heard.

The applicant, who is retired Revenue Inspector, apprehending arrest in crime registered against him for the offence punishable under Sections 420, 466, 468, 471 and 120-B of the Indian Penal Code, has sought pre-arrest bail. The accusations against the applicant are that while in service in the revenue department he has tampered with government record, prepared false documents and taken wrong entries showing Class-II land as Class-I land. The application is opposed on the ground that custodial interrogation of the applicant is necessary for further investigation.

In paragraph No.6 of the application filed before this Court, the applicant has stated that the

concerned entry was taken in view of order passed by Deputy Collector in Revenue Case No.538/2006-2007. The copy of order is also placed on record alongwith application at page No.9. In the reply filed on behalf of the non-applicant in paragraph No.3 it is stated that the applicant has prepared false documents and record in Revision Case No.538/2006-2007 and this is with the intention of helping co-accused. The statement is not supported by any material on record.

This Court has granted interim protection to the applicant by order dated 3rd February, 2017. There is no complaint of the investigating agency that the applicant has misused the protection granted by this Court. As stated earlier, the applicant has retired in 2014. The documents in question are not in the custody of the applicant and there is no occasion for the applicant to have access to those documents. The applicant has stated that he is not involved in any other crime / offence earlier. In the above facts, I am convinced that interim order granted on 3rd February, 2017 is required to be confirmed. The interim order is confirmed and the application is allowed accordingly.

JUDGE