

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO. 829/2017

Dilip Keshavrao Deshmukh and anr. ..vs.. State of Maharashtra thr. PSO
P.S. Washim, Tq. Dist. Washim and anr.

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

Court's or Judge's orders.

Mr. A. R. Deshpande, Advocate for applicants.
Mr. S. N. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 13, 2017

1. Heard Mr. Deshpande, Advocate for applicants
and Mr. Ghodeswar, A.P.P. for non applicant-State.

2. The applicants who are husband and wife are
apprehending their arrest in connection with Crime
No.479/2017, registered with Police Station, Washim,
Dist. Washim, for an offence punishable under Sections
13 (1), 13 (1) (E), 13 (2) of the Prevention of Corruption
Act read with Section 109 of the Indian Penal Code.

3. The applicant no.1 who was Superintendent in
the Agriculture Department was promoted in the year
2001 as Agriculture Officer and subsequent to his
promotion, an open inquiry was conducted against him
for amassing illegal wealth disproportionate to his known
income. It is also the case of the prosecution that during
the said open inquiry, the applicant no.1 has given his full

cooperation. After the inquiry, the report was submitted and on the basis of the said report, an offence was registered against the applicants and hence the present application is filed claiming anticipatory bail.

4. On 21.11.2017, the applicants were granted ad interim anticipatory bail on a condition that the applicants shall attend Police Station on 30.11.2017. It is not the prosecution case that the applicants have disobeyed this direction. Thus, when prior to the registration of the crime, an open inquiry was conducted against the applicants and the applicants have fully cooperated in the said inquiry and also the fact that the applicants have abided by the conditions imposed upon them and all the documents are already seized by the investigating officer, I am of the view that the custodial presence of the applicants is unwarranted.

5. Consequently, the applicants have made out a case for grant of anticipatory bail. Hence, following order is passed.

ORDER

- (i) Criminal Application No.829/2017 is allowed.
- (ii) The applicant no.1-Dilip Keshavrao Deshmukh and applicant no.2-Sau. Deepa Dilip Deshmukh, in the event of their arrest in connection with Crime No.479/2017, registered with Police Station, Washim,

Dist. Washim, for an offence punishable under Sections 13 (1), 13 (1) (E), 13 (2) of the Prevention of Corruption Act read with Section 109 of the Indian Penal Code, be released on bail on they executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(iii) The applicants shall attend Anti Corruption Bureau, Washim, twice in a month i.e. on first Monday and last Friday and shall be with the investigating officer from 11.00 a.m. to 04.00 p.m. till the filing of the charge-sheet.

The application is disposed of.

JUDGE

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