

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO.1288 OF 2018**

|                          |               |
|--------------------------|---------------|
| Gopal Bhikaji Khandare   | ...Applicant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

.....

Mr. Manoj Mohite, I/b. Mr. Amol D. Joshi the learned counsel for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent -State.

Mr. Subhash Pingale police Naik, Crime Branch Pune City, present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED: 5<sup>th</sup> SEPTEMBER, 2018.**

**P.C.:-**

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R. No.217 of 2018 registered with Chatushrungi Police Station, District-Pune, for the offences punishable under Sections 417, 465, 468 and 471 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Manoj Mohite, the learned counsel for the Applicant and Mr. S.R. Agarkar, the learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. Aforesaid crime came to be registered pursuant to the FIR lodged by one Alan Kary Almedia. The FIR prima facie reveals that the Himachal Pradesh Government had de-recognised Manav Bharti University since 2012 and had given instructions not to enroll students for Phd. and that to refund their fees. It is alleged that despite the Government order the Applicant alongwith others had enrolled the students and later conferred the Phd. Degree on the said students.

4. Upon considering the allegations levelled in the FIR the court (Coram Smt. Sadhana S. Jadhav, J.) vide order dated 5<sup>th</sup> July, 2018 had granted interim bail to the Applicant. The Applicant was directed to report to the Investigation Officer as and when called.

5. The learned APP submits that the Applicant has reported to the Investigation Officer and has thus complied with the condition of the interim bail. The learned APP further submits that investigation is completed and charge sheet will be filed within a period of 15 days. He submits that custody is not required for the purpose of interrogation.

6. Considering the above facts and circumstances and the nature of the allegations levelled against the Applicant so also the statement of the learned APP, in my considered view the Applicant is entitled for bail.

7. Hence, the following order:-

- (i) In the event of arrest of the Applicant in C.R. No.217 of 2018 registered with Chatushrungi Police Station, District-Pune, the Applicant shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two solvent sureties in the like amount to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall furnish his permanent as well as temporary address, if any, and his contact details to the Investigation Officer.
- (iii) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

**(SMT. ANUJA PRABHUDESSAI, J.)**