

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2076 OF 2019

Tejpal Ramvir Mehrol	]	Applicant
Versus		
The State of Maharashtra	]	Respondent

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Mr. Arun Mishra, for the Applicant.

Mr. S.V. Gavand, A.P.P for the Respondent - State.

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CORAM : REVATI MOHITE DERE, J.

DATE : 30th SEPTEMBER, 2019.

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No. 13 of 2019 registered with the Vitthalwadi Police Station, Thane, for the alleged offences punishable under Sections 420,465,467, 171, 120 r/w section 34 of the Indian Penal Code. It appears that the said investigation was later transferred from Vitthalwadi Police

Station to Crime Branch, Kalyan Unit 3, Thane and after investigation, charge-sheet was filed as against the applicant and others.

3. Perused the papers. According to the prosecution, the incident took place between the period 12th September, 2015 to 20th September, 2017. It is alleged that the applicant along with other co-accused i.e Chandrakant Shinde, Narayan Shinde, Abdul Siddique and Imran Siddique forged death certificates of about 13 persons and on the basis of the said bogus certificates, cheated Bajaj Alliance Insurance Company and Birla Sun Life Insurance Company for Rs.74,94,850/- and distributed the said amount amongst themselves. It is alleged by the prosecution that the applicant received a sum of Rs.10,000/- behind every death certificate that was issued by the Doctors. According to the prosecution, investigation reveals that the applicant who was working as a Sweeper in Mumbra Crematory of Thane Municipal Corporation would fill up the death report forms, pursuant to which, death certificates were issued. It is the prosecution case that though no person had expired, the applicant in connivance with the Doctors and others prepared forged death certificates of 13 persons and on the basis of the said certificates availed of the insurance money. The allegation as against the applicant is that he had filled up the death report forms and helped co-accused in obtaining death

certificates from the Doctors i.e Dr. Abdul Siddique and Dr. Imran Sidique. It is not in dispute that both the Doctors have been enlarged on bail. Role of the applicant is similar that of the other co-accused who have been enlarged on bail. The applicant is in the custody since 15th January, 2019. Investigation is complete and charge-sheet is filed. The applicant has no antecedents.

4. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount;
- ii) The Applicant shall report to the Crime Branch, Kalyan Unit-3 on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

- iv) The applicant shall not leave Mumbai or Thane City without the permission of the trial Court,
- v) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;
- vi) The Applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;
- vi) An undertaking to the aforesaid clauses (ii) to (vi), shall be filed by the Applicant, in the Registry of the trial Court, within two weeks of their release;
- vii) If there are 2 consecutive defaults either in attending the Police Station or in appearing before the trial Court or breach of any of the conditions as stated above, the prosecution will be at liberty to apply for cancellation of Applicant's bail.

5. The Application is allowed and disposed of in above terms.
6. It is made clear, that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
7. All concerned to act on the authenticated copy of this order.

[REVATI MOHITE DERE, J.]