

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Appln. U/s 482 NO. 1676 OF 2019

Dattatray Pandurang Shendkar	...Petitioner(s)
<i>Versus</i>	
The State Of Maharashtra And Anr	...Respondent(s)

WITH
Criminal Appln. U/s 482 NO. 1677 OF 2019

Meenakshi Bharat Raut	...Petitioner(s)
<i>Versus</i>	
The State Of Maharashtra And Anr	...Respondent(s)

WITH
Criminal Appln. U/s 482 NO. 1678 OF 2019

Shaikh Mushtak Mohammed	...Petitioner(s)
<i>Versus</i>	
The State Of Maharashtra And Anr	...Respondent(s)

WITH
Criminal Appln. U/s 482 NO. 1679 OF 2019

Jyotsna Sanjay Shinde	...Petitioner(s)
<i>Versus</i>	
The State Of Maharashtra And Anr	...Respondent(s)

Mr. Manoj Harit i/by Manoj Harit & Co. for the applicants.

Smt. Aruna Pai, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 22, 2020

CRIMINAL APPLICATION NO. 1676 OF 2019 :

Applicant is a retired employee of the Education Department. We have read the statement in support of the FIR which shows averments indicating abuse of his position by the petitioner.

2. Learned counsel for the petitioner states that these averments are factually incorrect and the person who has lodged the FIR is not competent to lodge the same.

3. The report makes out a case of fabrication of the Government records.

4. The investigation is still going on and the petitioner also has interim anticipatory bail.

5. We are therefore, not inclined to intervene at this stage. We keep all contentions of the petitioner open and with a liberty to the petitioner to approach at appropriate juncture, dispose of the present application.

CRIMINAL APPLICATION NO. 1678 OF 2019 :

6. This challenge also can be considered along with the challenge in Criminal Application No. 1176 of 2019 which is disposed of today. The FIR and statement in support thereof shows non-existent appointments and confirmation have been granted approval by the petitioner resulting in financial loss to Government. Effort to urge that the contentions are false cannot

be appreciated at this stage.

7. Similarly other contention that the FIR could not have been lodged also need not detain us for the reasons recorded in the earlier order. Hence, with similar observations and same liberty, we dispose of this application.

CRIMINAL APPLICATION NO.1677 OF 2019:

8. The statements and averments show that the petitioner misused her powers to see that the persons not appointed for that school are permitted to join and therefore, to pressurize the headmaster and management, recalled the signing powers of Headmaster. The identical challenge is disposed of today by us while disposing of Criminal Application No. 1676 of 2019 and 1678 of 2019. Hence, with the same observations and same liberty, we dispose of both the applications.

CRIMINAL APPLICATION NO. 1679 OF 2019:

9. With the same observations and same liberty as granted in Criminal Application No. 1678 of 2019 , we dispose of the present application.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)