

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

CRIMINAL APPLICATION (ABA) 40/2020

Dinesh Narhari Kondulkar and others
Versus
State of Maharashtra, through P.S.O., P.S. Wardha.

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

Court's or Judge's orders.

Shri O.D. Kakade, counsel for the applicants
Shri S.S. Doifode, APP for the State.

CORAM: ROHIT B. DEO, J.

DATE: 18.02.2020

Heard. The applicants are apprehending arrest in Crime No. 2002/2019 registered with Police Station Wardha for offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

2. Perusal of the First Information Report reveals that the accusation is that the certificate dated 30.01.2015 purportedly issued by the Executive Engineer, certifying that the Narmada Group of Construction is a registered contractor of the Class-6 Category, is forged and fabricated.

3. The certified is issued by Executive Engineer, Maharashtra Jeevan Pradhikaran. The learned counsel for

the applicants invites my attention to the communication dated 27.11.2019 addressed by the said officer to the Chief Executive Officer, Zilla Parishad, Wardha. It appears that the said communication is issued in response to the direction issued by the Chief Executive Officer, Zilla Parishad, Wardha to submit report as regards the certificate. It is clearly stated in the said communication that the Executive Engineer has indeed issued the certificate and a note is taken in the Registration Book. Nothing is brought to my notice to suggest that the Executive Engineer has stated something inconsistent with or contrary to record.

4. I am inclined to exercise discretion in favour of the applicants.

5. The interim order dated 22.01.2020 is made absolute with the modification that the applicants shall attend the Wardha Police Station as and when required by the Investigating Officer.

JUDGE