

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

ANTICIPATORY BAIL APPLICATION NO. 2831 OF 2019

Madhukar Bhausahab Gaikwad	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Zain Javed Shroff i/b. Y & A. Legal for the Applicant.
Mr. S.V. Gavand, APP for the State.
Mr. Salunke, API, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th SEPTEMBER, 2021.

P. C. :-

. This is an Application under Section 438 of Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R.No.876/2019 registered with Sadar Bazaar Police Station for offences under Sections 420, 465, 468, 471 of the Indian Penal Code.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The Applicant is a retired Deputy Commissioner of Police, Solapur. The allegations against the Applicant are that he had written

to the Administrative Officer of the Police Commissioner's Office, Solapur that his date of birth is 01.06.1963 and not 01.06.1961 and had sought rectification of records. It is stated that the Applicant had tried to change the records by submitting forged and fabricated documents.

4. Considering the nature of accusations against the Applicant, this Court (Coram : Prakash D. Naik, J.) by order dated 20/12/2019 granted interim protection to the Applicant. It is stated that the Applicant has filed Quashing Petition being Criminal Application No.214/2021 and that by order dated 25/02/2021, the Division Bench of this Court has directed the State not to file charge sheet against the Applicant till the next date of hearing. Learned APP states that investigation in the matter has been completed and that the charge sheet has not been filed only in view of the interim order passed by the Division Bench of this Court. He has stated that the presence of the Applicant is not required for custodial interrogation.

5. Considering the above facts and circumstances and particularly the nature of accusations, in my considered view, this is a fit case for grant of pre arrest bail. Hence, the Application is allowed on following

terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.876/2019 registered with Sadar Bazaar Police Station, he shall be released on bail on furnishing P.R. bonds in the sum of Rs.25,000/- with one or more sureties in the like amount ;

(b) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)