

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

CRIMINAL BAIL APPLICATION NO.1636 OF 2021

Suprabhatam Lallanprasad Singh	 Applicant
versus	
State of Maharashtra	 Respondent

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- Mr.Priyal G. Sarda, Advocate for Applicant.
- Mr.Ajay Patil, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 21st JUNE, 2021

(Through video conferencing)

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No.I-52/2021 registered with Panvel City Police Station, Navi Mumbai, under sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code. The Applicant was arrested on 21/01/2021 and since then he is in custody. Investigation is over and the charge-sheet is filed.

2. The FIR is lodged by Police Constable Mahendra Dhangar. He has stated that he was attached to Panvel City Police Station on 20/01/2021. At about 03.00 p.m., his

superiors received a secret information that some persons were to approach HDFC bank at Panvel with forged documents, in the nature of Kisan Visak Patra, National Savings Certificate and by using them, they were obtaining loan. The police arranged to conduct raid. At 04.30 p.m., the police were keeping watch outside the bank. One Maruti Wagon-R car came there. Two persons got down. The driver was having red coloured bag. Both the persons were apprehended and searched. The FIR mentions that the Applicant had 9 Indian Post Office passbooks for various amounts, mostly for Rs.9,50,000/- and two for Rs.10 lakhs mentioning number of Kisan Vikas Patras and National Savings Certificates issued by Himayat Nagar, Nanded. They were having different dates of maturity. The other accused Sanjaykumar Ayodhyaprasad was found with a bond paper with National Savings Certificate and account numbers mentioned on it showing agreement between Sanjaykumar Ayodhyaprasad and Babarao Chavhan. The passbooks found with the present Applicant were mentioning the serial number of the documents in the name of Babarao Chavan. The police officers contacted

post office, Himayatnagar, District Nanded and enquired about serial numbers mentioned in the passbook. They were told that they were of forged documents. Babarao was earlier working with Himayatnagar Post Office. At that time, he was suspended. On this basis, FIR is lodged.

3. Heard Mr.Priyal G. Sarda, learned counsel for the Applicant and Mr.Ajay Patil, learned APP for the State.
4. Mr.Sarda, learned counsel for the Applicant submitted that in the entire charge-sheet, there is nothing to show that there was nexus between the Applicant and Babarao. He submitted that the Applicant had not taken any steps in obtaining loan on the basis of documents found with them. He submitted that the Applicant was already arrested by the police much prior to 20/01/2021 and thus false recovery is foisted on him. Learned APP opposed this application. He relied on the recovery of those passbooks made on the basis of forged investment certificates.

5. I have considered these submissions. With assistance of both the learned counsel, I have perused the charge-sheet. In the charge-sheet there is a Panchanama dated 21/01/2021 concerning arrest of Babarao. In his personal search, the police had recovered rubber stamps used in committing forgery. Rubber stamps were in respect of post offices at Himayatnagar, Karkheli, Umri, Nanded etc. He also had various passbooks for different amounts mentioning those forged serial numbers.
6. There is another Panachanama through which one Jasbir Singh Dilon had produced those forged documents submitted by Babarao with their bank for obtaining loan. Jasbir's statement shows that Babarao had submitted Kisan Vikas Patras and National Savings Certificates at Mahim branch of HDFC bank. The bank officers verified those documents and came to know that they were forged documents. They tried to contact, Babarao but he was not available.
7. Similar is the statement of one Vijay Bhosle, Chairman, Vishwas Nagari Sahakari Patsanstha, Ltd, Nerul. There also

Babarao has deposited a few forged documents in an attempt to obtain loan. Thus entire charge-sheet points to involvement of this Babarao. He had submitted those forged documents to obtain loan. The Applicant was arrested even before the forged documents in his possession, were tendered for obtaining any loan. There is nothing to show that the Applicant had tried to file any form for obtaining loan and had contacted any of the bank officers for obtaining loan on the basis of these forged documents. In the entire charge-sheet there is no material to show nexus between Babarao and the present Applicant. In this view of the matter, there is no sufficient material against the present Applicant showing his involvement in the entire crime. As submitted by learned counsel for the Applicant, the wife of Applicant is suffering from breast cancer. The Applicant has survived one paralytic stroke. The Applicant has two younger children. Mr.Sarda submitted that the Applicant is willing to provide local sureties. Therefore considering overall impact of these factors, the Applicant has made out case for his release on bail.

8. Hence, the following order :

ORDER

- (i) In connection with C.R.No.I-52/2021 registered with Panvel City Police Station, Navi Mumbai, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two local solvent sureties in the like amount.
- (ii) The Applicant shall deposit his passport, if any, with the Investigating Officer before being released on bail.
- (iii) The Applicant shall not leave the country without prior permission of the trial Court.
- (iv) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)