

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

**CRIMINAL BAIL APPLICATION NO.1761 OF 2020**

Gurunath Dadu Patil

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr.Tanaji Mhatugade, Advocate for Applicant.
- Ms.Pallavi Dabholkar, APP for the State/Respondent.
- HC Nitin Choure, present.

**CORAM : SARANG V. KOTWAL, J.**

**DATE : 11<sup>th</sup> JANUARY 2021**

**P.C. :**

1. The Applicant is seeking his release on bail in connection with C.R.No.77/2019 registered with Kagal Police Station, Kolhapur, under sections 489-A, 489-B, 489-C r/w 34 of the Indian Penal Code.

2. Heard Mr.Tanaji Mhatugade, learned counsel for the Applicant and Ms.Pallavi Dabholkar, learned APP for the State.

3. The FIR is lodged by Police Head Constable Amol Aakaram Kolekar, attached to Local Crime Branch, Kolhapur. He has stated in his FIR that the police officers received information that one Balu Suleman Naikwadi, was about to reach Bachni S.T. Stand. He was having counterfeit notes. The police officers arranged to conduct a raid. They went to the S.T. stand and arrested the said Balu Naikwadi. He was found to possess 626 currency notes, which were counterfeit notes of the denomination of Rs.500/-. Some notes were having the same serial numbers. Therefore obviously the notes were counterfeit notes. On further enquiries with the Applicant, he gave names of other accused. It was revealed that those counterfeit notes were made by the Applicant. He was given a colour printer, scanner, computer, papers etc. Pursuant to this fresh information, the other accused Pravin Narayan Gadkar and Vikram Krushnat Mane were arrested. Thereafter the police party went to Bamne village to the house of the present Applicant. He was found in the house. His house was searched. In the search, 456 counterfeit notes of Rs.2,000/- denomination and 1557

counterfeit notes of Rs.500/- denomination were found. The articles for making those notes i.e. computer, printer, scanner, etc. were found. The Applicant was asked to demonstrate as to how he was counterfeiting those currency notes. He gave demonstration and created 4 counterfeit notes with these instruments and articles. He was arrested and the FIR was lodged.

4. The investigation was carried out. It contains the panchanama and the statements of raiding party members.
5. Learned counsel for the Applicant submitted that the other accused are released on bail and therefore on principle of parity he also deserves to be released on bail. He submitted that the FIR itself mentions that the computer and other articles were given by other accused to the present Applicant and therefore he was not the main culprit. He submitted that therefore the Applicant deserves to be released on bail.

6. Learned APP opposed this application. She relied on the FIR and other statements.

7. I have considered their submissions. The offences alleged against the present Applicant are particularly u/s 489-A and 489-B. To that extent his role is different from others. All the other accused were found in possession of the forged counterfeit notes. Their act falls within section 489-C of IPC, which is a bailable offence. However, the allegations against the present Applicant are much more serious attracting sections 489-A and 489-B of IPC. The number of counterfeit notes found with him was quite large. The Applicant himself gave demonstration as to how those counterfeit notes were created. The offence is serious. There is sufficient material against the present Applicant. He does not deserve to be released on bail. His case is different from the other accused. Therefore principles of parity are not applicable to him. The application is therefore rejected.

**(SARANG V. KOTWAL, J.)**