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

ANTICIPATORY BAIL APPLICATION NO. 1769 OF 2019

SACHIN JIBHAU SURYAWANSHI

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

**Mr. S. B. Deore, Mr. Adityaraj T. Gaikwad for the applicant
Ms. Sharmila S. Kaushik APP for the State**

CORAM : NITIN W. SAMBRE, J.

DATE: AUGUST 11, 2021.

P.C.:

1] Applicant is seeking pre-arrest bail in C.R. No. 300/2019 registered with Sarkarwada Police Station for Offences punishable under Sections 406, 420, 468, 471, 408, 464 of the Indian Penal Code.

2] The submissions of learned counsel for the applicant are, applicant on similar set of facts was already arrested in C.R. No. 654/2018 registered with Panchavati Police Station, Nashik for offence punishable under Sections 420, 465, 468, 471 504 of the

Indian Penal Code in which he is already charge-sheeted and released on regular bail. The further contention is, documents which are formed to be basis for registration of offence i.e. appointment orders are not in the signature of the applicant and as such, issue is already pending consideration in the earlier crime.

3] Learned APP submits that contents in the F.I.R. dated 09/07/2019 were not part of the investigation in an earlier crime being C.R. No. 654/2018. According to her, even though accusation are similar, custodial interrogation of the applicant is required for recovery of the amount and documents and material used in forging the appointment orders.

4] With the assistance of learned APP and learned counsel for the applicant, I have perused the investigation papers in both crimes i.e. C.R. No. 300/2019 registered with Sarkarwada Police Station and 654/2019 registered with Panchavati Police Station, Nashik.

5] Of course, the allegations against the applicant in both F.I.R.

are having same colour, however, this Court cannot be insensitive to the fact that contents in the present F.I.R. Dated 09/07/2019 are neither investigated nor brought to the notice of Investigating Officer in the said crime No. 654/2019. Apart from above, it was not demonstrated as to how the accusation in this crime are in continuation to one in earlier crime.

6] Perusal of contents of the documentary evidence collected, speaks of prima facie involvement of the applicant in C.R. No. 300/2019.

7] At this stage of the proceedings, the claim of the applicant that he is not signatory to the appointment order in the form of defence need not be gone into in deciding anticipatory bail application.

8] No case for interference is made out. Application fails, stands rejected.

[NITIN W. SAMBRE, J.]