

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

Criminal Application (ABA) No. 129 of 2021

(Anil S/o Vishwanath Sanap and anr. ..vs.. State of Maharashtra through P.S.O., Malegaon, Tq.
Malegaon, Dt. Washim)

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

Court's or Judge's orders

Mr. D. G. Dhoble, Advocate for the applicant
Mr. S. S. Doifode, APP for the State

CORAM : ROHIT B. DEO, J.

DATED : 02-03-2021

Heard.

2. The applicants are apprehending arrest in Crime
578/2020 registered with Malegaon Police Station,
District Washim for the offences punishable under
Sections 406, 409, 420, 465, 468 and 471 read with
Section 34 of the Indian Penal Code.

3. The applicants are contractors and the role
alleged is that they collected bank details and documents
of unsuspecting gullible villagers, opened bank accounts,
showed such persons as having worked under the
Mahatma Gandhi National Rural Employment Guarantee

Scheme and after the payment was credited in the accounts of such persons, withdrew the amount.

4. The material in the case diary includes the statements of such gullible persons whose bank accounts, the applicants operated. Witness after witness has stated that the applicants collected the relevant documents and after the Panchayat Samiti credited their accounts with the labour charges, the applicants withdrew the same. The witnesses have categorically stated that they have not worked at all. Considering the material on record, custodial interrogation is imperative. Unless the applicants are arrested and custodially interrogated, it would be next to impossible for the investigating machinery to unravel the conspiracy.

5. No case for exercise of discretion is made out. The application is dismissed.

JUDGE