

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.501 OF 2022

SHESHABAI D/O LALAPPA KAMBLE @ SHESHABAI W/O
MAROTIRAO MORE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. K. M. Suryawanshi
APP for Respondent - State : Mr. S. B. Narwade
...

CORAM : S. G. MEHARE, J.

DATE : 14-06-2022

PER COURT :-

Heard the learned counsel for the applicant and the learned APP for the respondent at length.

2. The serious allegations of forgery and creating false documents to obtain the caste validity certificate have been levelled against the applicant. It has been transpired before the caste scrutiny committee that the applicant has produced forged and false documents to claim the caste validity. It was also transpired in the inquiry that the applicant has filed different Aadhar cards with different numbers. At the time of her first proposal, she had shown herself as illiterate, and she put her thumb impression on the application, whereas, at the time of the

second application, she prepared a false extract of school admission and put the signature on her application. Since the caste scrutiny committee found it apparent fraud played with authority, the Committee directed the criminal action against the applicant. Hence, the crime is registered.

3. Learned APP for the respondent/ State would submit that the offence is serious. The applicant had played the fraud with the competent authority. There is sufficient material against the applicant to believe that she was involved in fraud and creating forged documents. Hence, she does not deserve anticipatory bail.

4. Perused the papers attached with the application. Day by day, the validity claims based on the fraudulent documents are mushrooming. It has been experienced that false affidavits and documents are produced before the caste scrutiny committee for caste validation. The caste validity committee investigates in detail and collects the evidence through the vigilance cell. The vigilance cell also gives an opportunity to the concerned to point out or explain adverse or contrary evidence. The caste scrutiny committee records the findings after giving the opportunity to the applicant.

5. *Prima facie* material is available against the applicant that some forged documents like Aadhar cards and school records were produced by her before the caste scrutiny committee that too for taking the benefits of the government schemes. It appears that the applicant has tried to mislead the Committee. There is *prima facie* material to believe that the applicant has committed a serious offence. The Investigating Officer must find the source from where the documents were forged and how many persons were involved in such activities. Without custodial interrogation, it would be difficult for the Investigating Officer to know the source of forged documents.

6. Considering the facts, allegations and evidence against the applicant, this court is not inclined to grant anticipatory bail to the applicant.

7. Hence, the application stands dismissed.

(S. G. MEHARE)
JUDGE