

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1750 OF 2022

Kailash Pandurang Chavan .. Applicant
Versus
The State of Maharashtra .. Respondent
...
Mr.Santosh Sonawane for the applicant.
Mr.S.V.Gavand, APP for the State.
API Biradar from Ambernath police station.

CORAM: BHARATI DANGRE, J.
DATED : 20th SEPTEMBER 2022

P.C:-

1 The applicant, who was working as Junior Assistant with Panchayat Samiti, Ambernath, Zilla Parishad, Thane was arraigned as accused in C.R.No.I-472/2021 Which invoked offence u/s.420, 465, 466, 468, 477 IPC.

2 The complaint lodged against him by the office bearers of Panchayat Samiti, Ambernath, allege that the applicant was attached to Panchayat Samiti, Shahapur, and he was transferred to Ambernath on 31/5/2017 and he was deputed in Construction Department. It is alleged that he remained absent from 1/12/2017 and an inquiry was initiated against him which was conducted by Assistant Commissioner (Konkan Region).

It is alleged that he purported to resume his work on the basis of two documents; the first being a letter from the Deputy Secretary of the Rural Development and Water Conservative Department, Maharashtra State, dated 14/2/2020 addressed to the Chief Executive Officer, Zilla Parishad, Thane, wherein a request is forwarded for sanctioning his leave for the period of his absence from 1/12/2018 to 22/1/2020 and his application of leave along with the medical certificate was forwarded as an encroacher to the said communication.

It is alleged that the medical certificate issued under the signature of Civil Surgeon, V.S.General Hospital, Thane, dated 20/1/2020 is also forged along with another certificate from the same doctor certifying that he was advised bed-rest for 2 ½ years, commencing from 1/12/2017.

On inquiry, when it is found that the said letters are forged, the complaint was lodged. On completion of investigation, the charge-sheet has been filed and the said documents are collected and compiled in the charge-sheet.

3 No doubt, the applicant will take the consequences of the accusations faced by him, but since now the investigation is complete and the applicant has no antecedents plus the prosecution has not expressed any flight risk, the applicant deserve his release on bail. Hence, the following order :

ORDER

- (a) The Applicant – Kailash Pandurang Chavan in connection with C.R.No.I-472/2021 registered with Ambernath Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant should not tamper with evidence.
- (c) The applicant shall mark his attendance on first Saturday of every trimester between 3.00 p.m to 5.00 p.m.
- (d) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, if there is any change.

The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)