

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

ANTICIPATORY BAIL APPLICATION NO.2811 OF 2021

Smt. Jeenat-Unisabegum
Khudabaksha Jahagirdar

...Applicant

Versus

The State of Maharashtra and Anr.

...Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO.2804 OF 2021**

Padma Yogiraj Sakhare

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Pritesh Thobde i/b. Mr. Sagar Tambe for the Applicant in
ABA/2804/2021.

Mr. Yuvraj Narvankar with Ms Riddhi Natekar for the Applicant in
ABA/2811/2021.

Mr. A.A. Palkar, APP for Respondent -State in both the applications.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 22nd AUGUST, 2022.

P. C. :-

1. The Applicants have sought pre-arrest bail in Crime No.584 of 2022 registered with Sadar Bazar police Station, Solapur (city), for offences punishable under Sections 406, 408, 417, 420, 423, 463, 465, 467, 468 and 471 of the IPC.

2. Heard Mr. Thobde and Mr. Narvankar, learned counsel for the Applicants and Mr. Palkar, learned APP for the Respondent-State. Perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Mrunal Bhumkar. It is alleged that the co-accused Padma was serving as a Shikshan Sevak. The Applicants and others had forged documents showing said Padma to be a full time teacher and submitted the said documents to Zilla Parishad, Solapur for approval. It is alleged that approval was obtained on 31/03/2012 on the basis of the forged documents. Thereafter said Padma was granted full time benefits. It is alleged that the Applicants and co-accused caused loss to the Government Exchequer to the tune of Rs.7,29,990/-.

4. The then President of the school had made a complaint to the Competent Authority regarding the fraud committed by the Applicants and other co-accused by preparing forged document and misappropriating the public money. Enquiry was conducted and the Applicant- Padma was directed to refund the amount of Rs.7,29,990/-, which was allegedly misappropriated. It is not in dispute that the said

money was refunded in the year 2012, whereas the Complainant, who is President of the Vidya Mandir Vairag Institution had filed a private complaint in the year 2021.

5. The records prima facie indicate that there is considerable delay in lodging the FIR. The amount, which was allegedly misappropriated was refunded in the year 2012. The co-accused Nandkumar Randive has already been released on bail. Learned counsel for the Applicants has stated that the Applicants have reported to the investigating officer and that they have co-operated with the investigation. It is stated that the investigation has been completed and charge sheet is ready and that the same will be filed in due course.

6. Considering the above facts and circumstances, in my considered view this is not a case, which warrants custodial interrogation. Hence, the applications are allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicants in Crime No.584 of 2022 registered with Sadar Bazar police Station, Solapur (city), the Applicants shall be released on PR bonds in the sum of Rs.25,000/-each

with one or two sureties each in the like amount.

- (ii) The Applicants shall report to the Investigating Officer on the first day of every month from 10.00 a.m. to 1.00 p.m. till filing of the charge sheet.
- (iii) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.
- (iv) The Applicants shall not tamper with the evidence and/ or interfere with the witnesses in any manner.

7. The applications stand disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)