

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.308 OF 2022

Kundalik Gyanuji Wayale

Versus

State of Maharashtra, through P.S.O., P.S. Manora, Dist. Washim

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.J. Shinde, Advocate for the applicant.

Ms M.A. Barabde, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 17/06/2022

1. The applicant who is the Secretary of the Gram Panchayat of which the record has allegedly tampered and forged, he is seeking pre-arrest bail in Crime No.133 of 2022, dated 21.03.2022, registered with Police Station Manora, District: Washim, for the offences punishable under Sections 420 and 468 of the Indian Penal Code.

2. Shri Shinde, learned counsel for the applicant submits that as the complete record of the Gram Panchayat has been seized, nothing remains to be recovered. The custodial interrogation of the applicant is not necessary.

3. It is submitted that the applicant has been falsely implicated in the alleged offence. Accordingly, he prays for grant of bail.

4. On the other hand, Ms barabde, learned APP opposes the present application and submits that custodial interrogation of the applicant is necessary, as the applicant is the Secretary of the Gram Panchayat of which the record has been tampered and forged. It is submitted that being the custodian of the record, he is the only person who can disclose the names of the persons involved in the alleged offence. Accordingly, she further submits that looking to the allegations made in the FIR, for effective investigation, the custody of the applicant is necessary. Accordingly, she prays for rejection of the present application.

5. I have perused the Case Diary and also the contents of the First Information Report (FIR).

6. The Case Diary shows that the applicant is the Secretary and being so, he his the custodian of the record of the Gram Panchayat, which is alleged to have been tampered or forged. Considering the gravity of the matter, I am of the opinion that the custodial interrogation of the applicant is necessary. Accordingly, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]