

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

CRIMINAL APPLICATION (BA) NO. 1338/2021
Santosh Atmaram Ingle..Versus...State of Maharashtra

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

Court's or Judge's orders

Mr. M.N.Ali, Advocate for the applicant.
Mr. S.A.Ashirgade, APP for Respondent/State.

CORAM : AVINASH G. GHAROTE, J.

DATE : 02/02/2022

1] Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard Mr. Ali, learned counsel for the applicant, who submits that since the charge-sheet has been filed on 4.1.2022, there is no further requirement of the applicant for the purpose of the investigation and therefore, he be released on bail on whatever conditions which may be imposed by the Court.

3] Mr. Ashirgade, learned APP opposes the same and submits that considering the nature of the offence, it would be in the interest of the justice that the applicant continues to be incarcerated.

4] The allegation against the applicant is that when

the court of JMFC, Patur, in PWDV No. 12/2016 on 8.11.16 had passed an order granting interim maintenance of Rs. 3000/- to the wife of the applicant and it was thereafter directed that the amount shall be deducted from the salary of the applicant, the deduction was done for one month, however, since for the subsequent months there was no deduction, the wife lodged the complaint whereupon an enquiry came to be made, in which it was revealed that the applicant had submitted two communications dated 6.12.2017 and 10.7.2018, purported to have been issued by the JMFC, Patur to the employer of the applicant, directing that no further deductions ought to be done from the salary of the applicant. These two communications upon verification were found to be forged by the applicant, as a result of which the offence has been registered against him and the charge-sheet has been filed.

5] The above narration would indicate the audacity of the applicant in even going to the extent of forging the communications dated 6.12.2017 and 10.7.2018, purported to be issued by the learned JMFC, for the purpose of avoiding the deductions on account of the payment of interim maintenance. The forging of the communications by the applicant, purported to be claimed to have been written by the JMFC, is an act which in no circumstances can be countenanced by a Court of law, considering which though

the charge-sheet has been filed, I am not inclined to entertain the application for grant of bail. The same therefore is rejected.

JUDGE

Rvjalit