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

CRIMINAL APPLICATION (ABA) NO. 783 OF 2022

Sneha d/o Himatrao Duryodhan **.Vs.** State of Maharashtra, through P.S.O., P.S. Arvi Tq. and Dist. Wardha and another.

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

Shri S.W. Sambre, Advocate for the applicant.
Shri S.D.Sirpurkar, A.P.P. for the non-applicant Nos. 1 and 2.

CORAM : ANIL S. KILOR, J.
DATED : 07/12/2022

1. Heard.

2. The applicant is seeking interim bail in connection with Crime No. 620 of 2021 registered with Police Station, Arvi, District Wardha for the offences punishable under Sections 420 read with Section 34 of the Indian Penal Code,1860.

3. In this case, the prosecution story is that the accused Sachin Raut and Dinesh Taiwade who were business correspondent received fixed deposit amounts from the customer/account holders and issued them bogus receipts/counter foils. The accused also issued bogus fixed deposit certificates for different fixed deposits, without depositing the amounts in the accounts of the bank. The above two accused are under MCR and the present applicant, who is Probationary

Officer in the Bank of India, also joined hands with the accused by putting her signatures on the bogus Fixed Deposits Certificates and Renewal Advice Certificates with full knowledge of its being bogus and fabricated issued the same.

4. On perusal of the case diary, it is revealed that the applicant was not named in the FIR. However, subsequently, she was added as an accused on finding her signatures on two fake receipts.

5. The applicant is a Probationary Officer and at the relevant time, she was assigned the work of Branch Manager and therefore, she signed the two receipts, which are subsequently found to be bogus one. However, it is pointed out that, being Probationary Officer, unless any transaction is approved by the Superior Officer, it cannot be treated as approved.

6. It is submitted that, there are no signatures of the Superior Officer on the receipts signed by the applicant.

7. On the other hand, learned APP is opposing the present application. However, on query put to him that whether the applicant has received any amount in the alleged transaction, he fairly states that there is no evidence or entry in this regard.

8. Thus, considering the fact that the applicant is a Probationary Officer in the Bank and except the said two receipts which are having signature of the applicant,

coupled with the fact that, she did not receive any single pie in the alleged offence, I am of the opinion that, purpose would be served if she is directed to attend the concerned Police Station and cooperate the investigating officer in investigation. Accordingly, I pass the following order:-

a) The criminal application is **allowed**.

b) The order granting *ad interim* anticipatory bail dated 10/11/2022, is hereby confirmed.

c) The applicant shall attend the concerned Police Station from 09/12/2022 to 23/12/2022 from 9.00 a.m. to 10.00 a.m. and thereafter as and when her presence is required.

JUDGE

Signed By:RAJESH K NANDURKAR

Signing Date:08.12.2022 11:59

rkn