

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1716 OF 2022

1. Pradip Prabhakar Talvelkar
2. Prashant Rajaram Jagtap
3. Deepak P. Kavishwar
4. Ashok Motiramji Patil
5. Lekh Raj Maurya
6. Asifkhan Ajmal Khan
7. Devdatta Gambhirrao Patil ..APPLICANTS

VERSUS

State of Maharashtra and Another ..RESPONDENTS

WITH

ANTICIPATORY BAIL APPLICATION NO. 1717 OF 2022

Ashok Kondaji Dudhare ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

WITH

ANTICIPATORY BAIL APPLICATION NO. 1718 OF 2022

Uday Parmeshwar Dongre ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. A.B. Chalak and Mr. V.R. Dhorde, Advocates for applicants
Mr. K.N. Lokhande, A.P.P. for respondents

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**CORAM : R.G. AVACHAT, J.
DATED : 27th MARCH, 2023**

PER COURT :

1. All these applications under Section 438 of Code of Criminal Procedure are taken up together since the applicants therein claim to have an

apprehension of being arrested in connection with Crime No. 620 of 2022 registered with Jilha Peth Police Station, Dist. Jalgaon for the offences punishable under Sections 120-B, 417, 420, 427, 464, 465, 469 and 471 read with Section 34 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. F.I.R. has been lodged by one Farooq Shaikh on 21st November, 2022. It is his case that for the year 2014-15 he was selected for *Shivchatrapati Krida Sanghatak Puraskar*. However, on account of adverse police report, he could not be conferred with the said award. Applicant No.1 – Pradip Talvelkar (ABA/1716/22) was selected for the said award for the year 2016-17. He was conferred with the said award in a ceremony having been held on 17th February, 2018. The other applicants in the said application and other applications are the sports teachers, who are alleged to have issued false certificates in favour of Pradip Talvelkar only with a view that he would secure the said award. It has been alleged in the F.I.R. that the certificates issued by the other applicants were false and fabricated. The informant, therefore, lodged the F.I.R.

4. Learned counsel for the applicants adverted this Court's attention to Government Resolution dated 16th October, 2017 pertaining to procedure

for grant of the award. Learned counsel particularly brings to the notice of this Court the procedure which is required to be undertaken before selecting the competent candidate for grant of said award. As per the said procedure, a candidate desirous of said award is expected to make an application online. Those who have objection to the name of the desirous candidate may register their objection within fifteen days. It appears that after having undertaken the entire procedure prescribed under the said government resolution, applicant – Pradip Talvelkar was conferred with the said award.

5. Learned counsel for the applicants may have reason to contend that the F.I.R. is nothing but an outcome of an envy. He has placed on record a report submitted by the Deputy Director, Sports and Youth Service, Nashik Division, Nashik. The report indicates that the complaint made by the informant herein was thoroughly enquired into and no substance was found therein.

6. Learned A.P.P. relied on statements of two physical education teachers, who state that the certificates which were appended by applicant – Pradip Talvelkar alongwith his application do not bear their signatures. It is not known whether the enquiring officer had made enquiry with those persons. The informant approached the Court one year after confirmation of the award. If at all applicant – Pradip Talvelkar has secured forged documents, that would not be a matter of trial, since the Deputy Education

Officer, after having enquired into the complaint made by the informant gave a clean chit to applicant – Pradip Talvelkar. This Court is, therefore, inclined to confirm the order granting interim protection to all the applicants herein.

7. Suffice it to say that observations made hereinabove are tentative in nature. The case is based on documentary evidence. The documents are much available with the investigating officer. The applicants may give their specimen handwriting and signature to the investigating officer, if required.

8. In view of above, order dated 16th December, 2022 granting the applicants ad-interim anticipatory bail is hereby made absolute. The applicants shall appear before the investigating officer, as and when required for the investigating purpose. The applicants shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

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