

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

**ANTICIPATORY BAIL APPLICATION NO.255 OF 2023
WITH
ANTICIPATORY BAIL APPLICATION NO.256 OF 2023**

Vishnu Sadashiv Khadatare ..Applicant
VS.
The State of Maharashtra ..Respondent

Rui Danawala a/w Sairuchita Chawdhary i/b Umesh
Mankapure for the Applicant.

Mr. S. V. Gavand, APP for the State.

Police Head Constable - Rangar, Pandharpur Police Station

CORAM : M. S. KARNIK, J.

DATE : JANUARY 30, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for pre-arrest bail by the applicant- Vishnu Sadashiv Khadatare in connection with C.R. Nos. 770 of 2022 and 771 of 2022 dated 05/12/2022 and 06/12/2022 respectively, registered with Pandharpur Taluka Police Station, under sections 120-B, 406, 420, 465, 467, 468, 471, 479 and 34 of the Indian Penal Code, 1860.
- 3.** The offences are registered at the instance of

Digambar Shinde who is a General Manager of Paricharam Gramin Bigarsheti Sahakari Patsantha Maryadit, Tungat. The accused no. 1 had applied for loans of the sum of Rs. 5 lakhs and Rs. 6.50 lakhs. The accused no. 1 had mortgaged his agricultural lands as a security for the loan. The accused no. 1 defaulted and therefore, a recovery application was filed in the co-operative Court. The applicant was Talathi at the relevant time. It is the allegation that by producing some false and fraudulent NOC of the said Patsantha, accused no. 1 applied to the Talathi (applicant) for removing the charge over the property which was shown in the record of the rights. On the basis of these fake letters, the applicant removed the charge. Later on, when it came to notice that these documents were forged and fabricated, the applicant again put a charge on the property and rectified the records.

4. On my query, learned APP stated that during the intervening period no wrongful loss was caused to the complainant.

5. The allegations are primarily against accused no. 1 who had obtained the loan. The applicant on the basis of

the documents submitted by the accused no. 1 proceeded to take action. The applicant should have been more vigilant. However, in the present facts, the custodial interrogation of the applicant is not necessary. There are no criminal antecedents reported against the applicant. The applicant to cooperate with the investigation. Hence, the following order.

ORDER

(a) In the event of arrest in connection with C.R. Nos. 770 of 2022 and 771 of 2022 dated 05/12/2022 and 06/12/2022 respectively, registered with Pandharpur Taluka Police Station, Solapur, the applicant- Vishnu Sadashiv Khadatare, shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or more sureties in the like amount.

(b) The applicant shall report to the concerned police station on 04/02/2023 and 05/02/2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.

(c) The applicant to co-operate with the Investigating Officer.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish the details of his residential address and phone number to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)