

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

BAIL APPLICATION NO.3004 OF 2022

1. Chandan Ramsagar Singh

2. Nitin Vasant Monde

...Applicants

Versus

The State of Maharashtra

...Respondent

...

Mr. Niranjan Mundargi with Ms Bhakti Deshpande, Mr. S. Shaif and Mr. Samar Pal i/b. M/s. Falcon Legal for the Applicants.

Mr. S.V. Gavand, APP for Respondent-State.

Mr. M.B. Dhumal, PSI, Bhoiwada police station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th MARCH, 2023.

P. C. :-

1. This is an application under Section 439 of the Cr.PC. filed by the aforesaid Applicants, who were arrested in C.R. No.312 of 2021 registered with Bhoiwada police station, Mumbai, for the offences punishable under Sections 120-B, 201, 269, 270, 274, 275, 276, 308, 419, 420, 465, 467, 468 and 471 r/w. 34 of the IPC and Sections 434 and 66(c) of the Information and Technology Act, 2000, Sections 3 and 27 of the Drugs and Cosmetics Act, 1940 and Section 52 of Disaster Management Act, 2005.

2. Mr. Niranjan Mundargi, learned counsel for the Applicants

states that the Applicants have been granted bail in other crime wherein similar accusations have been levelled against them.

3. Learned APP for Respondent -State concedes that the Applicants have been released on bail in other crime.

4. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

5. It is the case of the prosecution that on 28th and 29th May, 2021 at Potdar Centre vaccination camp was organised in view of the outbreak of Covid-19 pandemic and 207 persons were vaccinated. It is stated that initiative to conduct the said camp was taken by the co-accused and Rs.2,44,800/- was paid to accused No.1-Shrikant Mane and accused No.2-Seema Singh Ahuja being vaccination charges. The persons, who were vaccinated were informed that they would be getting vaccination certificates within two days. No such certificates were uploaded on the portal of Cowin App. Certificate, which were issued to the vaccinated persons were forged and fabricated having different dates and names of different hospitals. Having realised that the accused were involved in cheating, FIR came to be lodged.

6. The records reveal that accused Nos.1 and 2 were responsible for conducting the said vaccination drive and issuing fabricated certificates, have been released on bail. The role attributed to the Applicants is that they were involved in creating fake vaccination certificate. The records reveal that similar crime was registered against the Applicants before Kandivali Police Station wherein they have been released on bail. The Applicants are in jail since 30/07/2021. There are no justifiable grounds to detain them when the main accused have been released on bail.

7. Under the circumstances the application is allowed on the following terms and conditions:-

- (i) The Applicants who were arrested in C.R. No.312 of 2021 registered with Bhoiwada police station, Mumbai are ordered to be released on bail on executing PR bonds in the sum of Rs.15,000/- each with one or two solvent sureties each in the like amount.
- (ii) The Applicants to keep the investigating officer informed of their current addresses and /or

mobile contact numbers, and /or change of residence or mobile details, if any from time to time.

(iii) The Applicants shall not tamper with the evidence in any manner.

8. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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