

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3549 OF 2022**

Pramila Mohan Bhagat ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

INTERIM APPLICATION NO. 596 OF 2023

AND

ANTICIPATORY BAIL APPLICATION NO. 3550 OF 2022

Vishwas Laxman Bhagat ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

INTERIM APPLICATION NO. 569 OF 2023

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Mr. Rahul Thakur for the Applicants.

Mr. Amit Palkar, APP for the State.

Mr. Samir Vaidya a/w Ms Devyani Dhawale for the Intervener.

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CORAM : N.R. BORKAR, J.

DATED : 20 FEBRUARY 2023

P.C. :-

The applicants who are accused in Crime No. 417 of 2022 registered at Panvel City Police Station, New Mumbai for the offences punishable under Sections 420, 465, 466, 468, 471, 473 r/w 34 of the Indian Penal

Code have filed these applications under Section 438 of the Code of Criminal Procedure for anticipatory bail.

2. The allegations against the present applicants, who were Surpanch of Grampanchayat Usarli during the period from 2008 to 2014, are that they had misused their position as Surpanch and had issued false and bogus No Objection Certificates/ Building Permits to Builders on the letter head of the Grampanchayat without there being any resolution of Grampanchayat to that effect for extraneous consideration.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State and perused the papers of investigation.

4. It appears that pursuant to the complaint made by the villagers to Collector, Raigad, inquiry was conducted in relation to No Objection Certificates/ Building Permits issued by the applicants to various Builders. During the said inquiry no record of said No Objection Certificates/ Building Permits was found with the Grampanchayat.

5. It appears from the papers of investigation that one of the co-accused had purchased the plot in the year 2014 and constructed the building on the basis of No Objection Certificates/ Building Permits issued by the present applicants in the year 2008 and 2009. It, thus, appears that back dated No Objection Certificates/ Building Permits were issued and the reason for issuing such back dated No Objection Certificates/ Building Permits appears to be that from 2010, the CIDCO was made sanctioning

authority.

6. I have perused the statement of some of the co-accused. According to them, the back dated No Objection Certificates/ Building Permits were issued to them by the present applicants on the condition of purchasing the building material from them.

7. Considering the nature of offence, I am not inclined to release the applicants on anticipatory bail. Applications are rejected.

8. Interim Applications for intervention are disposed of.

(N.R. BORKAR, J.)