



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2102 OF 2023

1. Sundarlal Nanusingh Jadhav
2. Rajendra Sundarlal Jadhav

VERSUS

The State Of Maharashtra And Another

Mr. M. R. Deshmukh, Advocate for Applicants

Mr. S. B. Jadhav, APP for Respondents

CORAM : R.M. JOSHI, J

DATE : DECEMBER 03, 2024

PER COURT :

1. Applicants apprehend arrest in connection with Crime No. 323/2023 registered with Kranti Chowk Police Station, Aurangabad, Dist. Aurangabad for the offences punishable under Sections 420, 467, 468, 471, 120-B read with Section 34 of the Indian Penal Code.

2. Applicants alleged to have issued bogus appointment letters dated 27.01.2016 whereby Sujata Rathod was shown to be in the employment with effect from 01.02.2016. The same employee was confirmed under the orders signed by Applicant No. 2, Secretary of the Trust and under the signature of the Applicant No. 1 who is the then President of the Trust. The informant is also an office bearer of the Trust and at the

relevant time was working as a vice president thereof.

3. The FIR reveals that on 15.08.2022 when Informant visited the Ashram Schools at Shivgad Tanda and Kachner Tanda he saw new employees being working there. He sought explanation about same from the then President and since no satisfactory explanation is given he sought information under the Right to Information Act and pursuant thereof, FIR is lodged. Though it was known to him that the persons who were working never appointed by the Trust on 15.08.2022, he lodged FIR on 16.10.2023. In the FIR, there is no specific statement made by him that his signatures were forged by the accused persons. Pertinently, Informant has lodged report making allegations against present Applicants, for the reasons best known to him, he did not oppose the present Application for grant of anticipatory bail. Application of these Applicants before the Sessions Court, however, was objected by the Informant.

4. During the course of hearing, it is brought on record by the Applicants that there are disputes between the office bearers of the Trust and that change

reports came to be filed in or around October, 2022. This Court, therefore, finds that the role of the present Informant is dubious though he has sought to lodge report against Applicants and co-accused.

5. Learned Counsel for the Applicants submit that there is absolutely no evidence/material on record any irregularity being committed by the present Applicant in the appointment of Sujata. To support his submissions, he placed reliance on the documentary evidence on record indicating there is approval for the post of Superintendent of the School in the years 2015-16, 2016-17.

6. Even during the course of investigation, even the investigating agency was not able to lay hands on any material which would indicate that the appointment of the Sujata is made on the basis of any bogus documents. This Court, therefore, is of the view that *prima facie* there is nothing on record to indicate any criminality in the acts of the Applicants in causing appointment of the Sujata. Liberty of the Applicants was protected by this Court. Thereafter, they appeared before the investigating officer and cooperated in the

investigation. They have no criminal history and not likely to flee from justice. This Court, therefore, finds this to be a fit case for confirmation of interim relief. In the result, application stands allowed by confirming interim order dated 21.12.2023.

(R.M. JOSHI, J.)