IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 902 OF 2024

Pritam Pradeep Singhasane ..Applicant
Versus
The State of Maharashtra ..Respondent

Mr. Aditya S. Raktade for Applicant.
Ms. Ranjana D. Humane, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 13 AUGUST 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 38 of 2024 registered at Kodoli Police Station, Kolhapur, on 26.02.2024, under sections 406, 420, 465, 467, 468, 471, 474 and 475 of the Indian Penal Code.

2. Heard Mr. Aditya Raktade, learned counsel for the applicant and Ms. Ranjana Humane, learned APP for the State.

3. In this case, the investigation has progressed and the charge-sheet is filed against the co-accused Rajvardhan Patil. Learned counsel for the applicant, as well as, the learned APP referred to the statements and the documents forming part of the charge-sheet filed against the co-accused.

4. The prosecution case was that, the F.I.R. was lodged by one Sushant Patil who was working as Senior Clerk in the office of the Sub Divisional Officer, Panhala. The F.I.R. was in respect of the construction permission given to one Sukumar Karwe purportedly from the office of the first informant. That construction permission was found to be a forged document. According to Suhas Karwe (son of Sukumar Karwe) the accused Rajvardhan Patil had taken Rs.60000/- from him and had given that forged construction permission purportedly issued by the S.D.O. office. The investigation was carried out and some of the accused were arrested. The present applicant is shown as the Accused No.5 in the charge-sheet filed against the co-accused. The applicant was the owner and conductor of Maha E-Seva Center at Kodoli. He was knowing the main accused i.e. the Accused No.2 Pruthviraj Dalvi. The allegations are that, with collusion between said Pruthviraj Dalvi and the present applicant, certain certificates, caste certificates and other forged documents were created from the applicant's Maha E-seva Kendra. The brief facts mentioned in the charge-sheet are as follows:

Suhas Karwe had made an application dated 10.08.2023 for getting a permission for construction in Gat No.583, Plot No.29, Gram Panchayat Assessment property No.4361/B, at village Kodoli, Taluka Panhala, District Kolhapur. That application was forwarded to the concerned Town planning department at Kolhapur for remarks. There were certain shortcomings in the application. Suhas Karwe was trying to get the relevant documents. In the meantime, he met accused No.1 Rajvardhan Patil, who assured Suhas that he would get the construction permission from the S.D.O.'s office. For that purpose, Rajvardhan Patil accepted Rs.50000/- in cash and gave the construction permission document on 23.12.2023. Suhas Karwe showed that permission to the bank. But, he was told by the bank officers that the permission was always accompanied by the map and had seal and signature of the S.D.O. Suhas Karwe again contacted the accused No.1 Rajvardhan Patil, who obtained Rs.10000/- more from Suhas. In the meantime, Suhas Karwe went to Kodoli Gram Panchayat to get the receipt for payment of taxes. He was advised to make enquiries with the S.D.O. office. When

Suhas made enquiries there, it was revealed that the document regarding permission for construction was false. It was a forged document. The number mentioned on it was false.

5. It is the prosecution case that the accused No.1 Rajvardhan Patil contacted the accused No.2 Pruthviraj Dalvi, who was working in the office of SETU attached to Tahsildar Panhala. The Accused Nos.1 and 2 i.e. Rajvardhan Patil and Pruthviraj Dalvi prepared that forged permission document in Dalvi's house. Then signature of the S.D.O. was forged on that document. They used a seal stolen from the S.D.O. office and gave that document to Suhas after obtaining Rs.60000/- from him. During the investigation, the accused No.2 Pruthviraj was arrested. At his instance, a pendrive was recovered from his house. There were 25 certificates issued in connection with *kunbi* caste certificates, non creamy layer certificates etc. There were 25 such prints stored; out of which, 5 were genuine and rest 20 prints were forged. The accused Pruthviraj Dalvi was working from Maha E-Seva Center and, therefore, people were knowing him. He took advantage of that and he gave forged certificates to various persons. For that

purpose, he was obtaining money from the Accused Nos.3 and 4 and the present applicant i.e. accused No.5. The accused Pruthviraj was using the applicant's VLE Name and OMTID and for that purpose he used to pay money to the applicant and others. After the documents were uploaded online from the applicant's Maha E-seva center, the accused No.2 Pruthviraj Dalvi used to make changes in those documents on his tablet and used to issue forged documents.

6. The applicant is not yet arrested. On the last occasion, the applicant was protected by the ad-interim order and the learned APP had sought time to take instructions.

7. Today, I have heard the learned counsel for the applicant, as well as, the learned APP.

8. Learned counsel for the applicant submitted that, after he was protected by an ad-interim order, he has attended the concerned police station and has co-operated with the investigation. The documents in question are seized by the police and, therefore, his custody is not necessary. He submitted that the applicant has not committed any offence and he is roped in only

because his name appears at the bottom of some of the documents. He submitted that the applicant was conducting Maha E-seva center and the main accused Pruthviraj used his VLE name and his I.D. number to prepare those documents to make them appear, as if, they were the original documents.

9. Learned APP, on the other hand, relied on the documents which show the applicant's name. She relied on the certificates issued in the name of Vinod Kumar Devalkar, Trupti Ladgaonkar, Samarth Ladgaonkar, Kunal Patil, Ashish Patil, Pruthviraj Dhere and Digvijay Devalkar. All these documents bear the logo of Maha E-seva Kendra and the bar-code, and importantly, at the bottom mentions OMTID, VLE name, date and time. At some places, the OMTID of the applicant was mentioned as MH03330020 and at some places OMTID was mentioned as MH033300208. These documents also show the date on which the print out is taken. Those documents mention the Applicant's name as VLE.

10. I have considered these submissions. These forged documents show different OMTID numbers against the Applicant's

name. The print outs show the applicant's name and number. Apart from that, there is an incriminating statement given by the applicant's own employee Jahid Attar. He has stated that, he was working in the Maha E-seva Kendra of the present applicant. He was working with the applicant for about two years. One Ajit Patil was also working with him. Their job was to scan the applications, upload them on the online portal and after verification as to whether all the required documents were provided, they used to obtain signatures of the customers in their register and then those documents were uploaded on the portal. They were sending them to the Tahsildar's office at Panhala. Once they were registered, the online verification was made by the Tahsildar's office and the copies of the certificates, which were granted, were distributed from the online portal of the Maha E-seva Kendra of the applicant to their customers. If the customer wanted copies in the PDF format, the documents were given in the PDF format. He has further stated that the applicant was having close relations with the accused Pruthviraj Dalvi. The applicant had uploaded the documents of their customers without the knowledge of this witness and had permitted the accused Pruthviraj Dalvi to use the applicant's VLE name and OMTID and, therefore, about 12 forged certificates show the applicant's name.

11. This particular statement is significant and is incriminating against the applicant. This witness has explained as to how the documents were uploaded by the applicant and as to how his VLE name and OMTID was allowed to be used by the accused Pruthviraj Dalvi.

12. The offence is serious. The applicant's custodial interrogation is necessary to find out *modus operandi,* the manner in which the offence was committed and to find out whether there are other customers than those whose names appear on the forged documents. In this view of the matter, the applicant cannot be protected U/s.438 of the Cr.p.c. His custodial interrogation is necessary. There is strong material against the Applicant.

13. The application is, therefore, dismissed.

(SARANG V. KOTWAL, J.)