

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

ANTICIPATORY BAIL APPLICATION NO.1745 OF 2021

Harshal Arun Shelake	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Chetan S. Damre, Advocate for the Applicant.
Mr. Nitin B. Patil, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 01st APRIL, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.198/2020 registered at Mahim Police Station, Mumbai under sections 120-B, 419, 420, 465, 467, 468, 471 of IPC.
2. Leave to amend to correct the C.R. number is granted. Amendment to be carried out forthwith.

3. Heard Mr. Chetan Damre, learned counsel for the Applicant and Mr. Nitin Patil, APP for the Respondent-State.

4. The allegations, in short, are against four persons, namely, Avinash, Ashi, Harmesh, Ganesh. They were shown in the employment of Mumbai Municipal Corporation. Their appointment letters were forged and they were shown to have worked as employees of the Municipal Corporation. The documents regarding their appointments were forged. The only allegations against the present Applicant are that he was aware of those forged documents. There are no allegations that he was concerned with those four employees or forgery of those documents. The FIR was lodged on 7.7.2020.

5. Learned counsel for the Applicant submitted that he was granted ad-interim protection vide order dated 29.7.2021. Since then he has attended the police station and has cooperated with the investigation. Another co-accused Kisan is granted anticipatory bail by a coordinate Bench vide order dated 7.9.2023 passed in A.B.A. No.2004/2023. He was the Administrative Officer and during his tenure this offence is

committed. The Applicant deserves the protection under Section 438 of Cr.PC..

6. Learned APP accepted that the Applicant has attended the concerned police station and has cooperated with the investigation. There are no further allegations against the Applicant. The co-accused Kisan is released on anticipatory bail.

7. Apart from him, the other co-accused namely Pradnya and Neeta are granted anticipatory bail by the Sessions Court; and the proceedings against Tanaji are quashed by the Division Bench of this Court.

8. The Applicant is the only person whose anticipatory bail is still pending. The other accused are already granted relief, as mentioned earlier. The Applicant has attended the police station and has cooperated with the investigation. He was on interim protection since 29.7.2021. The offence is registered on 7.7.2020. For all practical

purposes the investigation is over. The Applicant's custodial interrogation is not necessary.

9. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.198/2020 registered with Mahim Police Station, Mumbai, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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by
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PRAKASHRAO
DESHMANE
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2024.04.03
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