

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

ANTICIPATORY BAIL APPLICATION NO.821 OF 2024

Seema Malhari Borkar @
Seema Balasaheb Khamgal Applicant
Versus
The State of Maharashtra Respondent

Mr. Arun D. Mishra, Advocate for the Applicant.
Mr. Prashant P. Jadhav, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 02nd AUGUST, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.119/2024 registered at Indapur Police Station, Pune Rural under sections 420, 465, 468 and 471 of IPC.

2. Heard Mr. Arun Mishra, learned counsel for the Applicant and Mr. Prashant Jadhav, learned APP for the Respondent-State.

3. The FIR is lodged by one Sandip Kale, who was a Project Officer working in the Panchayat Samiti, Indapur. The case of the first informant is that the Applicant was appointed

as an Anganwadi Helper from 19.4.2019 at Ramwadi Wadapuri, Taluka – Indapur, District – Pune. It is mentioned in the FIR that at the time of seeking promotion the Applicant had submitted certain documents including the mark-sheet of tenth standard from March, 1995 and a photo-copy of the school leaving certificate from 1995 issued by Morjai School, Morochi, Taluka – Malshiras, District – Solapur. According to the FIR, those documents were forged documents.

4. Learned counsel for the Applicant submitted that the Applicant was being targeted by her superiors, for which, She had approached the police station on a number of occasions, but, no steps were taken on her complaints. The Applicant has not produced any such forged mark-sheet or school leaving certificate before any of the authorities.

5. On the last occasion, learned APP had submitted that a copy of the forged mark-sheet, which was submitted for the purposes of her promotion bears her signatures as having verified that particular document. The signature in the form of attestation shows that the document was attested by her.

6. Considering these submissions, I had observed that there was serious dispute about such particular signature and the answer lay in the fact that whether she had actually signed those forged documents and had attested them. Therefore, to give her a fair chance to show her innocence, I had protected her by way of ad-interim relief with directions to attend the concerned police station on 10.4.2024 and 12.4.2024.

7. Today, learned APP accepts that the Applicant has attended the concerned police station and has given her specimen signatures.

8. Learned counsel for the Applicant submitted that the Applicant was made to attend concerned police station on six occasions. Out of them, on five occasions, the investigating agency obtained around more than 50 signatures every time. Thus, the Applicant has fully cooperated with the investigation.

9. I have considered these submissions. The question is about the genuineness of the Applicant's signatures. The Applicant is a woman. She has fully cooperated with the investigation. She has given her specimen signatures on a

number of occasions. In fact she was called to the police station on many occasions though it was really not necessary. In this view of the matter, the Applicant's custodial interrogation is not justified. She can be protected by way of order under Section 438 of Cr.PC. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with 119/2024 registered at Indapur Police Station, Pune Rural , the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall continue to cooperate with the investigation.
- (iii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

PRADIPKUMAR
PRAKASHRAO
DESHMANE

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