



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

22 CRIMINAL APPLICATION NO. 3270 OF 2023

Vilas S/o Rambhau Deokate,
Age : 37 Years, Occ. Agriculture and Chairman
of Revki urban Multiple Purpose Company,
R/o. Devki, Post. Revki, Tq. Georai,
District Beed. ..Applicant

VERSUS

1. The State of Maharashtra,
Through Investigation Officer,
Georai Police Station,
District Beed.
2. Rajendra S/o Ramrao Narade,
Age : 31 Years, Occ. Service,
R/o. Hingangaon Tq. Georai,
Dist. Beed.
At present R/o Chitegaon,
Tq. Paithan Dist. Chatrapati
Sambhajnagar. ..Respondents

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Advocate for Applicant : Mt. M. P. Tripathi i/b
Senior Advocate Mr. N. B. Khandare

APP for Respondent/State: Mr. A. R. Kale
Advocate for Respondent No.2 : Mr. S. E. Shekade

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**CORAM : SMT. VIBHA KANKANWADI AND
ROHIT W. JOSHI, JJ.**

DATED : JANUARY 20, 2025

ORDER:-

1. Present application has been initially filed for quashing of the
First Information Report vide C.R. No. 433 of 2023 dated 19.08.2023

registered with Gevrai Police Station, District Beed and by way of amendment quashing of charge sheet No. 78 of 2024 dated 01.05.2024 pending before the learned Judicial Magistrate, First Class, Gevrai for the offence punishable under Sections 420, 468, 471 and 49 of the Indian Penal Code.

2. Heard the learned Advocate for the applicant, learned A.P.P. for respondent No.1 State and learned Advocate for Respondent no.2.

3. With the able assistance of the learned Advocate for the applicant, learned A.P.P. and learned Advocate for respondent No.2, we have gone through the contents of the First Information Report and the charge sheet. The first and foremost fact to be noted is that the charge sheet has been filed seeking recourse to Section 299 of the Code of Criminal Procedure whereby the applicant has been shown to be absconding. The person who is absconding cannot be granted any such relief under the inherent powers. Therefore, on this count itself, the application deserves to be rejected at the threshold. It is also to be noted that the application for anticipatory bail filed by the present applicant appears to have been rejected by learned Additional Sessions Judge Beed on 22.02.2024. Still it appears that the present applicant has not surrendered before the police authority. The allegations against the present applicant are that he was running the service center namely “आपले सरकार” in Gram Panchayat office Revki-Devki, Taluka Gevrai, District Beed whereupon he has shown many persons

as Labours on MANREGA scheme and had obtained false documents and forged the signatures of those persons and has cheated the Government. There are statements of the witnesses whose names have been shown in the registers of MANEREA scheme as Labours, but they say that they were not taken on the said work nor they have received any amount and they have not signed or gave thumb impression in respect of work of construction of road between 11.06.2022 to 15.06.2022 and 24.06.2022 to 29.06.2022 or for any other period. Thus, there appears to be *prima facie* evidence against the applicant. Hence no case is made out for grant of any relief under Section 482 of the Code of Criminal procedure. The application stands rejected.

(ROHIT W. JOSHI)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

Y.S. Kulkarni