



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

960 ANTICIPATORY BAIL APPLICATION NO. 1789 OF 2024

THANSINGH JEEVANSINGH BUNGAJ

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Sanjeev B. Deshpande, Senior

Advocate a/w. Mr. C. B. Chaudhari i/b. Mr. Deshpande

Shreyas Sanjeev

APP for Respondent/State: Mr. G. O. Wattamwar

Advocate for Assist to PP : Mr. W. S. Shaikh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 09.04.2025

P.C. :

1] Heard learned Senior Advocate for the applicant, the learned APP for the respondent-State and the learned counsel for the assist to public prosecutor.

2] The applicant is apprehending arrest in connection with Crime No.330/2024, dated 15.07.2024, registered at Vajirabad Police Station, District Nanded, for the offences punishable under Sections 420, 406, 34 of the Indian Penal Code, 1860.

3] This court by order dated 21.10.2024 granted interim protection to the applicant noticing the submissions at paragraphs no.3, 4, 5 and 6, as under:

“3. Learned Senior Advocate appearing for Applicant has drawn attention of the Court to the resolution passed by the Administrator of the Gurdudwara Sachkhand Sahib indicating that the Enquiry Report in respect of present Applicant has not been accepted and he is exonerated from the charges. It is his further submission that the co-accused in respect of whom report is accepted and action is contemplated are granted anticipatory bail by the Sessions Court. He, therefore, seeks protection of liberty of the Applicant.

4. Learned Counsel for the Informant and Mr. Amritpal Singh, learned Counsel opposed the application. Counsel for the Informant submits that the Applicant is holding influential position and that there are serious allegations against him and as against this, other two persons against whom action is contemplated by the administration are working as clerks. Mr. Singh, learned Counsel, has apprehension about the Applicant interfering with the record.

5. Prima facie perusal of the resolution dated 08.07.2022 indicates that the Administration of Gurudwara has not accepted findings of the Enquiry Officer and has accorded clean chit to the present Applicant. At least at this stage there is nothing on record to indicate that the Applicant is involved in the alleged crime.

6. Having regard to these facts, liberty of the Applicant is protected till the prosecution is heard in the matter. Hence, the order:..”

4] The learned APP, so also, the learned counsel appearing for the assist to public prosecutor submit that there are statements of the co-accused who are the

subordinates of the applicant that on his instance 7 bills manipulated at the instance of the applicant and certain amounts were misappropriated by the co-accused and, so also, by the applicant and said statements are made to police when they were arrested.

5] However, this court has seen the internal inquiry report. In the internal inquiry of the applicant, prima facie, the co-accused has been found responsible for the misappropriation. However, as regards the applicant is concerned, he has been reprimanded for slack supervision and has been reinstated.

6] Considering this aspect of the matter on the basis of complaint filed by the devotee, who may not have all the knowledge of the internal inquiry of the *Gurudwara* and, as such, merely on the statement of the informant, the custodial interrogation of the applicant in the instant matter may not be necessary. In view of that, interim protection granted earlier to the applicant can be confirmed.

7] However, the learned APP submits that the investigating machinery had taken efforts to contact the applicant for the purpose of investigation but it did not become fruitful; as the applicant could not be contacted. He submits that the applicant be directed to attend the concerned police station.

8] In view of the above, the interim protection granted by order dated 21.10.2024 stands confirmed, on the following terms:

i] The applicant shall attend the concerned police station on 15.04.2025 and 16.04.2025 between 10:30 a.m. to 01:00 p.m. and thereafter as and when called by the Investigating Officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

iv] The applicant shall provide his contact details.

9] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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