2026:BHC-AUG:945

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1652 OF 2025

RAMESH LAXMAN KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Biradar Ramrao Dhondiram

GP for Respondents/State : Mr. A. B. Girase

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CORAM : MEHROZ K. PATHAN, J.

Date of Reserving the Order : **22nd DECEMBER 2025**

Date of Pronouncing the Order : **12th JANUARY 2026**

O R D E R :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.453/2025 registered with Ambad Police Station, District Jalna for the offences punishable under Sections 316(4), 316(5), 318(4), 324(5), 336(3), 338, 340(2), 339, 238 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 52 and 53 of the Disaster Management Act, 2005.

2. The First Information Report was filed by one Vilas Komatwar, stating that he had received a letter from the Sub Divisional Officer, Ambad, dated 18.08.2025. The letter informed him that the Three-Member Committee had submitted a report regarding the natural calamity compensation disbursement fraud committed by accused persons at Ambad and Ghansavangi Taluka, and authorized him to register an FIR against those found responsible in the said report.

3. It is alleged that the State Government declared compensation for farmers whose agricultural fields were affected by natural calamities during the years 2022, 2023, and 2024, including floods, heavy rainfall, unseasonal rainfall, drought, etc., to be disbursed to the affected farmers. Several complaints were received at the Collector Office, Jalna, pertaining to the disbursement of natural calamity compensation at the Tahsil Offices of Ambad and Ghansavangi. The complaints mentioned the role of the Village Revenue Officer, Gram Sevak, and Agricultural Assistant, who allegedly colluded with each other to disburse compensation to bogus farmers who were not eligible for such benefits. In some cases, compensation was disbursed to farmers who were not residents of the village, including villagers from other Talukas and Districts. Agricultural fields of lesser measurement were shown with inflated areas by forging the 7/12 extracts and by falsely showing fruit-bearing trees on barren land. Some beneficiaries were allotted compensation twice. Taking into consideration the aforesaid complaints, the Collector, Jalna, under his supervision, formed a Three-Member Committee on 28.01.2025.

The said Committee conducted a detailed inquiry into the complaints and submitted its report. In the FIR, 22 persons were named, along with certain other unnamed persons who had acted in collusion and misused the login ID of the Tahsildar and committed fraud/misappropriation by disbursing compensation to persons not entitled to receive the same. In some cases, even Government lands were wrongly shown in forged 7/12 extracts of villagers, thereby obtaining disaster relief compensation through conspiracy by all the accused persons acting together thereby cheating the Government.

. Apart from the aforesaid two talukas, Ambad and Ghansavangi, six Revenue Officers of the Tahsil Office, Ambad, were also named who have colluded with the Village Revenue Officer/Talathi and certain bogus beneficiaries, conspiring to commit misappropriation with the intention of causing wrongful loss to the Government and wrongful gain to themselves, thereby cheating the Government. One of the Revenue Officers in the Collector Office, Jalna, namely Mr. Dinesh Barad, was held responsible for misusing the login ID and password of the Tahsildar, Ambad. He allegedly connived with the other accused persons and further provoked and instigated them to commit the said crime. It is also alleged in the FIR that after getting knowledge that an inquiry was being conducted into the fraud committed in the disbursement of natural calamity compensation, the accused persons destroyed the necessary evidence and the files in the computers maintained by the Officers were deleted, which could have assisted to prove their guilt. The three email ID's of the Tahasil Office namely tahambad@gmail.com; tahghan@gmail.com and tahghananudan@gmail.com were tampered with by all accused persons and thereafter the evidence were destroyed.

. Thus the aforesaid 28 persons and others are found to have committed the misappropriation to the tune of Rs.24,90,77,811/- by forging the documents and cheating the Government and thereafter destroying the evidence. The complainant therefore prayed for appropriate action against all the accused persons. Thus the present FIR alleges that the Talathis/Revenue Officers, Gram Sevaks, and Agricultural Assistants caused wrongful loss to the Government and wrongful gain to themselves by fabricating certain documents, inserting bogus names of farmers, and disbursing compensation amounts to such bogus farmers. The FIR further alleges that compensation was transferred to fake and ineligible beneficiaries.

4. Heard the learned Counsel Mr. Biradar alongwith Assisting Counsel and the learned Government Pleader Mr. Girase. I have gone through the documents relied upon by the learned Counsel for the Applicant and also gone through the investigation papers made available by the learned Government Pleader.

5. The learned Counsel Mr. Suryawanshi for the Applicant submits that this Court vide its order dated 20.09.2025 was pleased to grant ad-interim bail to the present Applicant. The learned Counsel submits that the Applicant is falsely implicated in the present crime. The Applicant was working as Talathi and that the Government Resolutions dated 17.11.2022, 24.01.2023 and 29.02.2024 for grant of compensation to the farmers who were affected due to natural calamity. The entire scheme was to be executed by the concerned Tahsildar and the Applicant alongwith other officers like Gram Sevak and Agricultural Assistant were only given the responsibility of preparing a list which could be then verified by the higher officers. The technical glitches and some errors are bound to appear when such huge schemes are implemented. The rectification method was also provided in the Government Resolution and the Tahsildar was the authority to rectify the mistake if any which had occurred. There is no deliberate act on the part of the Applicant to cheat or commit criminal breach of trust. The amounts are directly transferred in the account of the beneficiaries and Inquiry nowhere shows that the Applicant is beneciary of any amount of compensation. The complaint is filed belatedly after period of two months of receiving of the Three Member Committee's report. The amounts have been recovered after issuance of show cause notice to the Applicant and thus nothing remains to be recovered as the entire amount is already recovered before registration of the FIR. The Applicant has not violated any conditions of the interim order. The Investigating Officer did not issue any notice for appearance to the Applicant and as such the interim order dated 20.09.2025 may be confirmed. It is almost a settled law that the bail is the rule and jail is the exception, and as such, unless an extreme case for custody is made out, the Applicant can be released on bail. The Applicant is a Government Servant, not a flight risk, and there is no possibility of his fleeing from the ends of justice. The Applicant is a responsible Government Officer and is ready to cooperate with the investigation. The custodial interrogation of the Applicant is not necessary, and therefore the Applicant may be released on bail.

6. As against this, the learned Government Pleader vehemently opposes the application on the ground that the Applicant was working as Talathi and was incharge of various villages for preparing the list of the beneficiaries so that the amount of compensation can be transferred in their account for having incurred damages to their crops. The investigation shows that the Applicant has forwarded the list of additional beneficiaries, on a Whatsapp to the concerned officials i.e. Sushil Jadhav. It is submitted that the amount of Rs. 33,16,572/- is misappropriated, till date as found in the investigation. The Applicant though has assisted the Inquiry Committee to recover an amount of Rs. 12,81,736/-, however still the huge amount of Rs.13,73,040/- is yet to be recovered. The Applicant if released on bail, may cause prejudice to the prosecution and the investigation.

. It is further submitted by the learned Government Pleader that the Inquiry Committee Report records that the accused has embezzled government funds to the tune of Rs.25.40 lakhs, out of which only Rs.12.81 lakhs have been deposited, leaving a substantial amount unaccounted for.The investigation reveals that the accused deliberately included names of persons/ relatives/acquaintances who were neither residents of the concerned villages nor owners of agricultural land, thereby rendering them ineligible beneficiaries. Witness statements of Jagannath Uttam Randhe, Bhausaheb Kanta Uddange, Ganesh Bhagwanrao Uddange , Baliram Bhagwan Uddange and Krishna Vishnu Uddange clearly establish that amounts were credited in their names despite the absence of any agricultural landholding, corroborating the allegation of preparation of bogus beneficiary lists. Further, Gram Panchayat certificates categorically certify that 28 persons from Chandanapuri Khurd, 20 persons from Bhamberi, 11 persons from Dahyala, and 34 persons from Chandanapuri Budruk and Renapuri are not residents of the respective villages yet amounts aggregating to several lakhs were credited in their names. This documentary evidence lends strong support to the prosecution case that the accused misused his official position to siphon off public funds. It is also borne out from the investigation of Revenue Assistant Sushil Jadhav, who was previously arrested, that the applicant–accused had sent as many as six lists of bogus account holders through WhatsApp, instead of following the prescribed official email procedure, indicating conscious deviation from lawful process and active participation in the conspiracy. Significantly, when called upon by the inquiry committee to disclose details of bogus beneficiaries, the accused failed to reveal their identities and instead produced certificates claiming repayment, thereby obstructing effective investigation. The investigation further discloses that the accused, with the assistance of agents, used Aadhaar cards and bank passbooks of labourers and unemployed persons, luring them with money, which points towards systematic and organised misuse of public welfare schemes.

. It is further submitted by the learned Government Pleader that the record further reflects that although the accused was granted interim protection, he has not cooperated with the investigation, which reinforces the prosecution's apprehension that custodial interrogation is necessary to trace beneficiaries, recover digital evidence, and unearth the larger conspiracy.

7. After having considered the submissions made by the learned Counsel for the Applicant and the learned Government Pleader and going through the investigation papers, it is found that the Applicant was working as Talathi for Chandanapuri Khurd, Chandanapuri Budruk, Bhamberi and Dahyala under Ambad Tahsil. The perusal of the investigation papers shows that the Investigating Officer has recorded the statements of Jagannath and Uddhange family who have specifically named the present Applicant to have insisted them to provide the necessary documents for obtaining compensation and asked them to share with him the majority of the amount of compensation so received, as they were fake beneficiaries. Upon the insistence of the Applicant, who was working as Talathi, the villagers provided their documents, and thus the role of the Applicant appears to be that of one of the prime suspects who has conspired along with other officers at the Tahsil office, in charge of uploading the list. The Applicant, in connivance with other accused persons, misused the login ID of the Tahsildar and uploaded fake residence certificates, 7/12 extracts, mobile numbers, and Aadhaar card numbers. The Gram Panchayat of the villages has issued certificates stating that the fake beneficiaries were not residents of the said villages.

. It is further revealed that even though the interim relief was granted to the Applicant, the Applicant has failed to attend the police station and despite of various calls made by the police station officers. The Applicant was called upon by the Investigating

Officer to attend the police station, however the Applicant did not attend the police station, Ambad for investigation. Accordingly, the Investigating Officer has taken station diary entry vide entry no.13/2025 dated 01.10.2025 at 13:58 hours in the station diary maintained with police station, Ambad.

8. The Hon'ble Supreme Court in the case of **Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation**, (2013) 7 SCC 439 and in the case of **Tarunkumar Vs. Assistant Director Directorate of Enforcement,** 2023 NSC 1006, was pleased to hold that the economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as a grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.

9. The Hon'ble Supreme Court in the case of **Nimmagadda Prasad vs C.B.I., Hyderabad,** (2013) 7 SCC 466, has held as under :

> *23. Unfortunately, in the last few years, the country has been seeing an alarming rise in white-collar crimes, which has affected the fibre of the country's economic structure. Incontrovertibly, economic offences have serious repercussions on the development of the country as a whole. In State of Gujarat v. Mohanlal Jitamalji Porwal [(1987) 2 SCC 364 : 1987 SCC (Cri) 364] this Court, while considering a request of the prosecution for adducing additional evidence, inter alia, observed as under:*
> *"5. ... The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder*

may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white-collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest."

10. The Applicant in connivance with all other accused persons has allegedly committed the misappropriation to the tune of Rs.25 Crores by using login ID of Tahsildar with the assistance of other accused persons. The statements recorded by the Investigating Officer during the course of investigation reveals the role of the present Applicant to be a prime suspect in the crime. The custodial interrogation of the Applicant would be thus necessary. Some of the amount initially shown as misappropriated by the Inquiry Committee has been allegedly recovered by the Applicant. However the investigation shows that the amount of misappropriation is likely to increase as the investigation is still going and the statements of the bogus farmers are being recorded. Thus there is every likelihood that the Applicant if released on bail, may cause prejudice to the investigation.

. Thus taking into consideration the gravity and nature of economic offence, the Three Member Committee's report and the investigation papers which include statements of various beneficiaries, I am not inclined to exercise the discretion in favour of the present Applicant to grant anticipatory bail. The application is therefore rejected.

MEHROZ K. PATHAN
JUDGE

11. After pronouncement of the order rejecting the application, the learned Counsel for the Applicant Mr. Tapse submitted that the Applicant was granted interim protection by this Court, hence, the interim protection may be continued for a period of four weeks further to take appropriate steps.

12. The learned Public Prosecutor, Mr. A.B. Girase, strongly opposes to grant of any such prayer for continuation of the interim relief.

13. This Court has already observed in the accompanying order that the Applicant failed to co-operate with the investigation. Taking into consideration the gravity of offence, the request made by the Applicant is hereby rejected.

MEHROZ K. PATHAN
JUDGE

Najeeb.