IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1677 OF 2025

KRUSHNA DATTA MUJGULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Salunke Sudarshan J.

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**

ORDER :

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 such 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, 28 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. Salunke 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. Salunke for the Applicant submits that the role attributed to the Applicant is misconceived and does not reflect the true factual position borne out from the record. As per the show cause notice, the alleged misappropriation is quantified at Rs.18,55,295/-. However, the final report of the Three-Member Committee records that an amount of Rs.17,30,919/- has already been recovered by the Applicant.

. It is further submitted that the Applicant has submitted his reply explaining the recovery and has effected recovery of the entire alleged amount of Rs.18,55,295/-, which has been deposited back with the Government. Recovery receipts evidencing payment of the said amount to the Government are already on record.

6. The learned Counsel further submits that the Applicant has fully cooperated with the inquiry and recovery proceedings and has not derived any personal pecuniary benefit from the alleged transactions. The substantial recovery effected at the instance of the Applicant clearly demonstrates his bonafide conduct and willingness to cooperate with the authorities.

. In view of the above facts, it is submitted that the allegations against the Applicant do not warrant custodial interrogation, and the Applicant, being a Government servant, is ready and willing to cooperate with the investigation. There is no likelihood of the Applicant absconding or tampering with evidence, and therefore, anticipatory bail deserves to be granted.

7. As against this, the learned Government Pleader vehemently opposes the application on the ground that The applicant is alleged to have been working as a Talathi (Revenue Officer) and, by virtue of his official position, was entrusted with duties relating to preparation, verification and forwarding of beneficiary data under the agricultural compensation/subsidy scheme for the villages of Dahigavhan Khurd, Belgaon, Eklahera, Bangaon and Bhananjalgaon under Ambad Tehsil. As per the inquiry committee report, the role attributed to the applicant is that he prepared and processed account-holder lists wherein names of persons who were allegedly not eligible under the scheme were included, resulting in alleged misappropriation of government funds amounting to Rs.18.55 lakh. The inquiry report further records that the applicant has stated to have repaid an amount of Rs.17.30 lakh, while a balance amount is alleged to remain misappropriated. That statements of several witnesses, described as bogus beneficiaries without agricultural land, have been recorded. The amounts deposited in the names of such persons, as reflected in the certificates, aggregate to more than Rs.36 lakh. The prosecution case, as emerging from the material, is that the applicant included names of individuals/ relatives/ acquaintances from his village and other villages, who did not own agricultural land and were not eligible, in the list of affected farmers, and thereafter facilitated deposit of grant amounts in their accounts, which were subsequently withdrawn.

8. It is further alleged that the applicant did not adhere to the prescribed official procedure while forwarding beneficiary lists. The investigation papers disclose that although the lists were required to be sent along with crop-wise inspection reports through official channels, the applicant, in collusion with other accused persons, forwarded lists of alleged bogus account holders through WhatsApp in addition to email. Statements recorded during investigation, including that of a Revenue Assistant who was earlier arrested in the same crime, indicate that the applicant had forwarded as many as six lists of alleged bogus beneficiaries via WhatsApp from time to time. The investigation also points out that the applicant allegedly uploaded lists containing incomplete names, incorrect residential addresses and mobile numbers, thereby making it difficult to identify and trace the beneficiaries and the flow of funds. It is further alleged that the same bogus names were repeatedly used in different villages during the years 2022, 2023 and 2024, allegedly by taking advantage of a loophole in the server/system. The investigation also refers to material suggesting that the applicant, with the help of accomplices and agents, used Aadhaar cards and bank passbooks of labourers and unemployed persons from various villages, luring them with small monetary inducements for the purpose of routing grant amounts. Having regard to the role attributed to the applicant as a public servant, the nature and magnitude of the allegations involving public funds, the documentary material and witness statements collected during investigation, and the scope of further investigation required for identifying beneficiaries, accomplices and tracing the money trail. Therefore the custody of the Applicant is necessary for the investigation of crime.

9. I have gone through the submissions and investigation papers. The Applicant, as Talathi, was entrusted with preparing beneficiary lists for agricultural compensation. Evidence shows he included bogus and ineligible beneficiaries, causing misappropriation of Rs.18.55 lakh. Witness statements and Gram Panchayat certificates support the prosecution's case. Though Applicant claims recovery of Rs.17.30 lakh, custodial interrogation is necessary to investigate the crime, identify other accused, and unravel the money trail. The statements of Rahul Tukaram Shinde, Dattatraya Dingambar Shinde, Pravin Sandipan Shinde, Sachin Sandipan Shinde and Vasant Baburao Jadhav, among others, indicate that amounts were credited in their names or in the names of multiple individuals shown as beneficiaries, despite the fact that they did not possess agricultural land and were not eligible for compensation under the scheme. The cumulative amount reflected through such witness statements is large and runs into several lakhs of rupees, as noted in the investigation papers.

. The investigation further reflects that Gram Panchayat certificates have been issued certifying that a large number of persons shown as beneficiaries were not residing in the concerned villages of Dahigavhan Khurd, Bangaon and Belgaon.

10. 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.

11. 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."

12. 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

Najeeb.