



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

ANTICIPATORY BAIL APPLICATION NO. 1696 OF 2025

SUNIL RAMKRUSHNA SORMARE

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

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 Tahsil 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 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 for the Applicant Mr. Salunke submits that the Three-Member Committee's report have shown an amount of Rs.75,56,432/- allegedly misappropriated at the instance of the Applicant and the Applicant has deposited an amount of Rs.7,59,066/- with the assistance of the villagers who have wrongly received the compensation. The amount of Rs.67,97,366/- is only to be recovered and there is every likelihood of recovery of the said amount, if the Applicant is released on bail. The receipts of the amounts paid back to the Government are already annexed to the application. The order dated 19.12.2022 issued by the Tahsildar, in pursuance of the Government policy for grant of compensation, shows that the Applicant was allotted the charge of Ruhi and Shahpur in the year 2022, and the charge of Shahpur, Baraswada, and Revalgaon in the year 2024. Some additional villages, which were not even allotted to the Applicant, have also been considered, thereby escalating the misappropriated amount. The errors in the findings of the Inquiry Committee themselves suggest that there were technical lapses at the behest of all the accused persons, including the higher officers who have not even been added as accused. The lower officer, like the Applicant who was working as Talathi, has been deliberately made a scapegoat to save the higher officers. The Applicant has cooperated with the

Inquiry Committee and has assisted them to recover an amount of Rs.7,59,066/- which shows his bonafinde and that the Applicant is a Government Servant, have 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. Hence 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 though the Applicant has assisted to make recover an amount of Rs. 7,59,066/-, however still a huge amount of Rs.67,97,366/- is yet to be recovered which is attributable to the present Applicant who was working as Talathi, In-charge of various villages from where the beneficiaries are shown to have sustained the crop damage due to natural calamity. The statements of Vitthal Shinde and others show that the Applicant insisted that villagers submit documents to enlist their names in the beneficiary list, even though they were not entitled to receive compensation for crop damages. It is submitted that 66 villagers did not even have agricultural land in their names; however, the Applicant still assisted in including their names and demanded payment of commission as and when the compensation amount was received. The involvement of the

Applicant is evident from the WhatsApp messages forwarded by the Applicant to the concerned official for uploading the lists. Thus, the Government Pleader prays for rejection of the anticipatory bail, as a huge amount is involved and the custodial interrogation of the Applicant is necessary.

7. I have gone through the investigation papers submitted by the prosecution for the perusal of this Court. The investigation papers reveal that fake documents, such as 7/12 extracts of village Revalgaon, of which the Applicant was In-charge, were submitted. The original 7/12 extract shows different names and areas of agricultural fields, whereas the fake 7/12 extract shows different names and survey numbers of agricultural fields. The statements of Ganesh Gaikwad and Vitthal Shinde also indicate the involvement of the present Applicant in conspiring to commit the offence of preparing and submitting false documents and withdrawing a huge amount as compensation, in the names of farmers were not entitled to receive the same. The certificates issued by the Gram Panchayats of Baraswada and Shahpur reveal that various fake beneficiaries were wrongly shown as residents of the said villages, whereas their names were not found in the Gram Panchayat records as villagers of those villages. The Applicant has also forwarded the list on WhatsApp for inclusion of the same as beneficiary, despite a clear direction to submit the names only

through email. The said witness and other farmers had kept Rs.5000/- and remaining amount of Rs.42 Lakhs approximately was given to present Applicant Sunil Sormare who was working as Talathi. The role of the present Applicant is thus clearly made out in the aforesaid crime. Hence, the Applicant has failed to make out any case for interference of this Court in the exercise of discretion to grant anticipatory bail.

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 Jitmalji 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

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