IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1697 OF 2025

VAIBHAV VISHWAMBHARRAO AADGAONKAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Bhagure Pralhad Chagan

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. Bhagure 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. Bhagure for the Applicant submits that the Applicant was Network Engineer and had no control over uploading of data, scrutiny, sanction or disbursement. The role of the Applicant was merely to collect the information in excel-sheet as per the prescribed format and submit the same to the higher officers. The Tahsildar, SDO and District Collector were the authorities to approve, sanction and release the funds through the MAHA-IT portal and direct beneficiary transfer system.

. It is further submitted that the District Collector Jalna though has recorded the involvement of 102 persons in the alleged misappropriation of Government funds, however the Applicant was made a scapegoat and added as an accused only to protect the higher officers. There is no proof to show the participation of the Applicant in the commission of the crime. There is hardly any ingredients made out for the offences alleged. The Applicant is ready to cooperate with the investigation and has already assisted the Inquiry Committee in resolving the crime. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court, if released on bail.

6. As against this, the learned Government Pleader vehemently opposes the application on the ground that the Applicant was working as a Network Engineer and was in control of the entire system of the MAHA-IT portal and has carried out the work of uploading the data which has then facilitated the disbursement of compensation to the beneficiaries who were entitled for. The Applicant was continuous touch in all the Talathis involved in the said crime for uploading the bogus list of beneficiaries.

. It is further stated that there are statements recorded by the Investigating Officer, wherein the role of the present Applicant is clearly made out. The Applicant has received payments from the bogus beneficiaries after they have received the compensation on Phonepe App. The name of the Applicant was also listed as beneficiary even though he was not entitled to receive any compensation. The Applicant has also forwarded the list to the arrested accused Sushil Jadhav on Whatsapp twice, thereby insisting to include names of 19 bogus farmers who were not entitled to receive compensation. The Applicant had also forwarded the names of 150 bogus villagers from Govindpur, 809 bogus villagers from Parner and 448 bogus villagers from Mardi on the Whatsapp to the arrested accused Sushil Jadhav. The statements of Ashwini Babhule, Balu Dudhmal, Somnath Sarfale and other witnesses show involvement of the Applicant. Thus for proper investigation of this crime, the custodial interrogation of the Applicant is necessary. The Applicant is involved in the serious offence, hence this is not a fit case to grant anticipatory bail.

7. I have gone through the investigation papers submitted by the learned Government Pleader for perusal of this Court. The investigation papers reveal that the Applicant was working as a Network Engineer at Tahsil Office, Ambad. The Applicant is alleged to have inserted the names of his 9 near relatives and received compensation in their names. The Applicant is alleged to have received compensation in the name of his mother Vaishali and father Vishwambhar and also received compensation in his own name. The Applicant is also alleged to have prepared bogus 7/12 extracts for another co-accused Kalyansingh from village Sashte Pimpalgaon and also prepared bogus 7/12 extracts for other Talathis. The Applicant is also alleged to have uploaded 6 bogus beneficiaries forwarded by Kotwal Sarfale.

. The investigation further shows the statement of Babu Dudhmal who had specifically stated that he has given six names of bogus beneficiaries to the present Applicant for receiving compensation and has paid an amount of Rs. 30,000/- on Phonepe App. to the present Applicant. The Applicant has also forwarded the list to the arrested accused Sushil Jadhav on Whatsapp twice, thereby insisting to include names of 19 bogus farmers who were not entitled to receive compensation. The Applicant had also forwarded the names of 150 bogus villagers from Govindpur, 809 bogus villagers from Parner and 448 bogus villagers from Mardi on the Whatsapp to the arrested accused Sushil Jadhav. The Applicant is also alleged to have inserted 30 names of bogus beneficiaries village Rohilagarh and Saresavanghi by sending the list on Whatsapp to the arrested accused Sushil Jadhav. Thus the role of the present Applicant is clearly made out from the investigation papers also and hence the custodial interrogation of the Applicant would be necessary to complete the investigation. The amount involved is huge and requires investigation from various angles. Economic offences are deep-rooted conspiracies involving loss of public funds and have to be treated differently in the matter of bail.

8. 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."*

9. The Applicant in connivance with other accused persons has allegedly committed the misappropriation of huge amount by misusing login ID of Tahsildar with the assistance of other accused persons.

. Thus looking to the nature of the allegations as reflected in the FIR and also taking into consideration the material collected by the Investigating Agency, 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.