



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

ANTICIPATORY BAIL APPLICATION NO. 1713 OF 2025

DIGAMBAR GANGARAM KUREWAD

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, 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 highly exaggerated and does not reflect the factual position emerging from official records. The show cause notice alleged misappropriation of Rs.28,81,935/-. However, the Final Report of the Three-Member Committee itself records that an amount of Rs.7,50,944/- was recovered by the Applicant, demonstrating his cooperation with the authorities.

. It is further submitted that upon submission of the Applicant's reply, an amount of Rs.25,53,028/- was recovered from the wrongly benefited farmers and the said amount has been deposited back with the Government, as evidenced by recovery receipts on record. Thus, the substantial amount allegedly misappropriated stands recovered, and the Applicant has not caused any continuing loss to the Government exchequer. The learned Counsel further submits that villages Narayangaon and Ramnagar were allotted to another Talathi, namely Shri Vithal Gadekar, as per Government Order dated 20.06.2023, and therefore amounts pertaining to those villages cannot be attributed to the Applicant while calculating the alleged misappropriation.

6. It is also submitted that the Applicant is 56 years of age and is suffering from high blood pressure, as reflected from medical documents on record. Further, the Applicant was placed

under suspension vide order dated 19.06.2025, and due to such suspension, he was deprived of authority and access, rendering him incapable of effecting any further recovery.

. It is submitted that the Applicant has acted bonafide, has facilitated recovery of amounts, It is further submitted that the Applicant is ready to cooperate with the investigation and 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 ready to further cooperate with the investigation for recovery of the amount if any attributable to the villages where the Applicant was working as Talathi. 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.

7. As against this, the learned Government Pleader vehemently opposes the application on the ground that The applicant–accused, Dingambar Gangaram Kurewad, was working as a Talathi (Village Revenue Officer) in the villages of Dahigavhan Khurd, Belgaon, Lakhmapuri, Sukhapuri and Kukkadgaon under the Ambad Tahsil Office during the relevant period. As per the inquiry committee report and the investigation conducted till date, the applicant was entrusted with the responsibility of preparation, verification and forwarding of beneficiary lists under the concerned

agricultural compensation scheme. The material placed on record indicates that the applicant prepared and uploaded account holder lists containing names of persons who did not own agricultural land and were not eligible for compensation, and caused the grant amounts to be credited to their bank accounts, followed by withdrawal of the said amounts. The inquiry committee has quantified the total alleged misappropriation at Rs. 28.81 lakhs, out of which an amount of Rs.7.50 lakhs is stated to have been repaid by the applicant.

. The prosecution has relied upon witness statements of bogus beneficiaries, including statements of Satyabhan Mahadu Bhojane, Datta Libanji Phoke, Tulshiram Baburao Gadhe, Jaynarayan Ganesh Phoke and others, which indicate that amounts were credited to their accounts despite the fact that they did not own agricultural land. The said statements are supported by Gram Panchayat and Sarpanch certificates certifying that several beneficiaries were not residents of the concerned villages and were otherwise ineligible to receive compensation.

8. It is further alleged that during the investigation of co-accused Sushil Jadhav, it has surfaced that the applicant sent multiple lists of bogus account holders via WhatsApp from time to time. The investigation has also brought on record that the applicant intentionally entered incomplete names, incorrect

addresses and mobile numbers, thereby making it difficult to trace the beneficiaries, and that Aadhaar cards and bank passbooks of labourers and unemployed persons were allegedly used through intermediaries to facilitate the transactions. The identity of several beneficiaries, the manner in which their documents were procured, and the flow of misappropriated funds are matters which are still under investigation. He therefore prays for rejection of the present application.

9. I have considered the submissions and perused the investigation papers. The Applicant, as Talathi, was entrusted with preparing beneficiary lists for compensation. Evidence shows he included ineligible beneficiaries, including non-residents and fictitious persons, causing misappropriation of funds. Witness statements and Gram Panchayat certificates support the prosecution's case. Though some amount has been recovered, the Applicant's involvement in preparing forged documents and transmitting lists via WhatsApp raises serious concerns. The Applicant included the names of relatives, acquaintances and persons from other villages, including Mauje Ramnagar, Ishwarnagar, Vasantnagar and Zirpi Tanda, and facilitated receipt of grants in their names. The investigation papers also disclose that lists of beneficiaries were sent through WhatsApp, although the prescribed procedure required submission through official email

along with crop-wise inspection reports. Upon perusal of the investigation papers, witness statements and documentary material placed on record, it prima facie appears that the applicant, while discharging official duties as a Talathi, was involved in the preparation and forwarding of beneficiary lists containing names of ineligible persons. The statements of multiple witnesses, read with the Gram Panchayat certificates, indicate that amounts were credited to persons who neither owned agricultural land nor resided in the concerned villages. The material further discloses that the alleged acts were not isolated, but spread across several villages, involving repeated transmission of beneficiary lists through unofficial modes, and that some amount has admittedly been repaid by the applicant, which aspect itself requires deeper scrutiny during investigation.

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

Majeed