



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

ANTICIPATORY BAIL APPLICATION NO. 1731 OF 2025

MOHIT DATTATRAY GOSHIK

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Bagade holding for
Mr. B.N. Gadegaonkar

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

...

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. Bagade holding for Mr. Gadegaonkar 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. Bagade for the Applicant submits that the Applicant was appointed as Village Revenue Officer in the year 2016 and was initially posted in Ghansavanghi Taluka, and was later transferred to Ambad Taluka. Though he was serving as Village Revenue Officer for the villages Chamabharwadi, Gola, Mathpimpalgaon, Hastepokhari, and Nagzari in the year 2022, for the purpose of distribution of compensation he was allotted only Mathpimpalgaon, vide order dated 19.12.2022 issued by the Tahsildar. The other villages were allotted to one Mr. Raut for Chambharwadi, one Mr. Shaikh for village Nagzari and Mr. Jadhav for village Gola.

6. It is further submitted that the Applicant received a show cause notice dated 10.06.2025 alleging misappropriation to the extent of Rs.43,94,357/- at the behest of the Applicant. The Applicant filed his reply on 13.06.2025, clarifying that he had not worked as Village Revenue Officer for the villages Shiradhon, Gola, Nagzari, and Hastepokhari in the year 2022. Nevertheless, an amount of Rs.3,09,600/- was deposited by the Applicant, though one Vijay Bhandawale, who was working as Operator, he had included those names. The Applicant could not submit an appropriate reply for want of proper documents. However, the

Applicant appeared before the Inquiry Committee and explained the circumstances under which such mistakes occurred and how the alleged misappropriated amount was wrongly calculated by the Committee. It is further submitted by Mr. Bagade that three persons, namely Badrinath, Mangalbai, and Gafoor Shaikh, were shown as bogus beneficiaries on the ground that they did not hold land. However, there are documents to establish that the aforesaid persons own land and are eligible beneficiaries. The excess area shown in some of the documents was an apparent mistake, which was unintentional, and consequently an excess payment of Rs.86,685/- was distributed to the farmers. The Applicant is ready to recover the said amount from the concerned persons and deposit the same with the Government, if protected by this Court.

. Insofar as the issue of double payment is concerned, the Inquiry Committee itself found that the same cannot be termed as misappropriation. The amount calculated towards double payment arose only due to inadvertence, as the same persons had received the amount twice. Even then, the Applicant is ready to recover the said amount and deposit it with the Government.

7. Thus it is submitted by the learned Counsel for the Applicant that, with respect to the aforesaid four villages Chamabharwadi, Shiradhon, Gola, and Mathpimpalgaon, there is hardly any evidence to show that the Applicant was involved in

fraudulent activities relating to receipt of compensation. The alleged misappropriation of Rs.6,64,560/- pertains to village Gola for the year 2022, when another person, namely Mr. A.M. Jadhav, had been allotted to the said village and not the Applicant, as per the order dated 19.12.2022 issued by the Tahsildar, Ambad.

. Insofar as village Nagzari is concerned, an amount of Rs.7,72,804/- is shown towards seven alleged bogus beneficiaries for 2022. However, Mr. S.J. Shaikh was appointed to the said village vide order dated 19.12.2022 issued by the Tahsildar, Ambad.

8. It is further submitted by Mr. Bagade that the amount of Rs.14,80,400/-, shown to have been misappropriated at the behest of the Applicant for disbursing the same into the accounts of 37 alleged bogus beneficiaries, is incorrectly attributed to him. The said 37 persons were not included in the original list submitted by the Applicant vide email dated 27.03.2024, which contained 351 beneficiaries. The aforesaid 37 names were wrongly included by the other accused, Vijay Bhandawale, who was working as an Operator at Tahsil Ambad, with the assistance of co-accused Rameshwar and Vaibhav, by misusing the login ID and password of the Tahsil Office, Ambad.

9. It is further submitted that the aforesaid 37 names were

uploaded on 15.06.2024 and 30.06.2024, whereas the Applicant had already submitted his list via email on 27.03.2024. The Applicant also informed the Tahsildar about the involvement of the aforesaid persons in uploading the names of 37 bogus beneficiaries, and therefore another accused, Vijay Bhandawale, had already deposited an amount of Rs.4,87,575/- in the Government account.

10. Insofar as the village Hastepokhari is concerned, the amount of Rs.11,89,144/- is shown against the Applicant, comprising Rs.10,51,474/- towards 34 alleged wrongful beneficiaries, Rs.84,175/- for five persons who received compensation twice, and Rs.53,495/- for area in excess of holding.

. It is submitted by Mr. Bagade that there are only six bogus beneficiaries, and they were included by Vijay Bhandawale, Rameshwar, and Vaibhav, and not by the Applicant. The remaining 28 persons are all farmers of village Hastepokhari and have agricultural land in their names, and therefore they cannot be termed as bogus beneficiaries.

11. It is thus submitted that the Applicant has not shown any excess land holding, and insofar as the issue of double payment is concerned, the Committee itself found that it cannot be treated as misappropriation. Thus, the Applicant has discharged his duties with respect to the remaining deficiencies; however, due to

inadvertent errors, certain mistakes have occurred, for which the Applicant is ready to recover the amount from the concerned bogus beneficiaries. The Applicant has no criminal antecedents and is willing to abide by any conditions that may be imposed by this Court. Hence, the Applicant may be protected.

12. As against this, the learned Government Pleader Mr. Girase, assisted by Mr. Khan the learned APP, vehemently submits that the Applicant was working as Talathi Village Revenue Officer for the villages Chamabharwadi, Shiradhon, Gola, Mathpimpalgaon, Nagzari, and Hastepokhari, and was entrusted with the responsibility of preparing the list of farmers affected by the natural calamity. The Applicant prepared a list of bogus beneficiaries who were neither residents of the concerned villages nor owners of agricultural land. The statements of witnesses, namely Ramesh Gavhane, Daniyal Nirmal, and others, indicate that compensation amounts were credited in the names of such persons with the assistance of the present Applicant. The Gram Panchayat of the said villages Shiradhon, Gola, Nagzari and Hastepokhari, issued certificates stating that several beneficiaries included in the list were not residents and did not own any agricultural land in their respective villages.

13. It is further submitted by the learned Government Pleader

Mr. Girase that the Applicant is alleged to have sent nine lists on WhatsApp to the arrested accused, Sushil Jadhav, for uploading the names of bogus beneficiaries and receiving compensation in their names. Thus, ample evidence has been collected by the Investigating Officer, which shows that the Applicant is one of the prime accused involved in the said crime. The offence involves a huge amount of misappropriation and requires investigation from all angles, for which the custodial interrogation of the Applicant is necessary. Hence, the application may be rejected.

14. I have gone through the investigation papers which show that the statement of Rameshwar indicates that the Applicant had asked for relevant documents such as Aadhaar Cards and Bank Passbooks of various persons, with the intention of including their names in the list of beneficiaries even though they were not entitled to receive compensation. The statement of Daniyal Nirmal further reveals that the present Applicant/Mohit, asked him to supply the names of landless persons from his family to receive compensation, and accordingly, an amount of Rs.37,800/- was received in the name of his wife/Maneka Nirmal. Likewise, the statement of Radhakishan shows that the Applicant/Mohit, insisted upon him to provide documents of landless persons in his family to obtain compensation. Consequently, he supplied documents pertaining to his family members, and an amount of Rs.92,000/-

was received in the name of Omgir Giri through two accounts opened for villages Jamkhed and Mathpimpalgaon, even though the son of the witness, Omgir Giri, did not own any land in those villages. Similarly, the statement of Raju Shaikh shows that the Applicant/Mohit, while working as Talathi, assured him of receiving additional compensation under the natural calamity compensation scheme. However, the Applicant directed the witness to retain only Rs.3,000/- and hand over the remaining amount to him. Thus, an amount of Rs.67,310/- was withdrawn by showing that the Applicant had agricultural land at Nagzari, when in fact only one hectare was owned by the witness at Village Nagzari, Gut No.76. The Applicant had deliberately granted compensation for Survey No.92 at Village Nagzari, although the witness Raju Shaikh did not own any land there. Furthermore, various certificates issued by the Gram Panchayat of Hastepokhari confirm that several persons shown as residents of village Hastepokhari were not actual residents and did not own agricultural property in the said village. The statement of Kaisar Shaikh also shows that the Applicant assisted the witness to withdraw the compensation in the name of his wife Yasmeen to the tune of Rs.42,300/- and the said witness Kaisar was asked by the Applicant to withdraw amount of Rs.42,300/- and thereafter keep with him Rs.6000/- only and to hand over the amount of Rs.36000/- to the present Applicant.

15. The investigation papers show that the Gram Panchayat Office, Mathpimpalgaon, had certified that six beneficiaries shown to be residents of village Shiradhon were not, in fact, residents of Shiradhon. Likewise, the certificate issued by the Gram Panchayat, Nagzari, shows that 41 beneficiaries shown to be residents of village Nagzari were neither residents of the said village nor owners of any agricultural land. Thus, ample evidence has been collected by the prosecution to demonstrate the involvement of the present Applicant in the said crime. The custodial interrogation of the Applicant is therefore necessary, as the offence involves a huge amount of misappropriation and a larger, deep-rooted conspiracy.

16. 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."

17. The Applicant in connivance with all other accused persons has allegedly committed the misappropriation to the tune of Rs.25 Crores. The investigation of the present crime is complex in nature which is connected from one accused to another accused. Hence the custodial interrogation of the Applicant would thus be necessary to investigate the crime properly.

. Thus taking into consideration the gravity and nature of the offence, the Three-Member Committee's report and the investigation papers which include statements of various persons, showing the role of the Applicant, no case is made out for exercise of discretion to grant anticipatory bail to present Applicant. The application is therefore rejected.

MEHROZ K. PATHAN
JUDGE

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