IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2016 OF 2025

PAWANSING HIRALAL SULANE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. P.D. Suryawanshi

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 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. Suryawanshi 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. Suryawanshi for the Applicant submits that the Applicant was issued a show cause notice on 10.06.2025, and the Applicant had submitted explanations on 13.06.2025 and 16.06.2025. It is submitted in the reply by the Applicant that an amount of Rs. 61,79,499/- is recovered by the Applicant and was credited to the Government. The higher authorities were responsible for disbursement of the compensation amount, while the Applicant was entrusted only with the responsibility of preparing the list. The list was to be cross-checked by the Tahsildar, and the SDO and the Collector's office were to disburse the amount directly to the beneficiaries in their accounts. The Applicant has not received any compensation amount and cannot be held responsible for the alleged misappropriation. After receiving the show cause notice, the Applicant assisted the Inquiry Committee in effecting recovery to the extent of Rs. 61,79,499/-. This demonstrates that 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 a responsible Government Officer and is ready to cooperate with the investigation. As the Applicant is ready to assist the Investigating Officer to make further recoveries if any which is attributable to the Applicant, 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 the Applicant was working as Talathi/Village Revenue Officer and even though the Applicant has recovered the amount of Rs. 61,79,499/-, still the huge amount of Rs.56,75,375/- approximately is to be recovered for the fake beneficiaries uploaded by the Applicant by preparing the list which is uploaded on the website.

. It is further submitted by the learned Government Pleader that the Applicant was working as a Talathi (Village Revenue Officer) for the villages Lonar Bhaigaon, Karjat, Dhangar Pimpalgaon, Pimpalgaon and Khedgaon under Ambad Tahsil, and was entrusted with the responsibility of preparation and forwarding of lists of farmers affected by natural calamity for the purpose of grant disbursement. The Inquiry Committee Report attributes to the applicant a systematic and deliberate abuse of official position, whereby bogus and ineligible beneficiaries were included in the lists of affected farmers. The tabulated data in the report indicates misappropriation of government funds to the tune of Rs. 1,18,54,874/-, while only Rs. 61.98 lakhs is stated to have been deposited, thereby reflecting a substantial outstanding misappropriated amount. The statements of witnesses recorded during investigation, including Sushant Ankush Vaidya, Anil

Ramesh Naglot, Ramesh Kasturchand Nagloth, Anita Devsing Lalchote, Sakharam Babu Pathare, Suresh Girdhar Nagloth, and Arjun Ambarsing Gomladu, clearly disclose that the beneficiaries in whose names amounts were credited did not own agricultural land and were not residents of the concerned villages. Several witnesses have categorically stated that amounts were either received through PhonePe transactions or credited to accounts opened using their Aadhaar details, after which the money was siphoned off. The investigation further reveals that, instead of submitting the required lists and crop-wise survey reports through the designated official email, the applicant, in collusion with co-accused and revenue assistants, forwarded as many as 99 lists of bogus beneficiaries via WhatsApp. This mode of transmission, unsupported by official procedure, strengthens the prima facie inference of a pre-planned conspiracy to bypass scrutiny mechanisms. Certificates issued by Gram Panchayats and Sarpanchs further corroborate that hundreds of individuals whose names appeared in the lists neither resided in the villages nor owned agricultural land, yet substantial amounts were credited in their names. Notably, relatives of the applicant, including Arjun Ambarsing Gomladu and others, are shown to have received grants amounting to Rs. 3,47,877/-, indicating personal enrichment through misuse of public office.

. The record also discloses that when the Inquiry Committee sought clarification regarding the bogus beneficiaries, the applicant failed to disclose their identities and instead attempted to justify the transactions by submitting certificates claiming repayment. This conduct, coupled with the finding that Aadhaar cards and bank passbooks of laborers and unemployed persons were used through agents, prima facie establishes active participation, concealment of material facts, and destruction of the audit trail.

7. After having considered the submissions made by the learned Senior Counsel for the Applicant and the learned Government Pleader and going through the investigation papers, it is revealed that there are many villagers who do not even own agricultural fields, yet the Applicant has inserted their names in the list. The Applicant also inserted the names of Arjun Gomladu and his family members, who were disbursed an amount of Rs. 3,47,877/-, even though they were not eligible for receiving compensation. The Applicant deliberately included four members who are relatives of Arjun Gomladu with the intent to misappropriate the compensation amount. The offence involves huge public money, and the investigation requires interrogation of various persons in connection with each other, as there are allegations of the Applicant conspiring along with other accused persons to commit the said crime. The crime involves manufacturing 7/12 extracts, forging residence certificates, using fake Aadhaar card numbers and fake mobile numbers, and there are statements recorded by the Investigating Officer which implicate the role of the present Applicant. It is alleged that the Applicant had asked villagers, who were not entitled to receive benefits, to provide their documents, and it was only upon the insistence of the Applicant that such villagers submitted their documents and received fraudulent benefits. The Applicant has also insisted the villagers once they received the compensation, certain amount will have to be share with the Applicant as he is facilitating the compensation even though they were not entitled.

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 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."

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

Najeeb.