

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3520 OF 2025**

Shambhuraje Babanrao Wable

.....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

Mr. Sudeep Pasbola, Senior Advocate a/w. Mr. Ujjalkumar Chavhan, Mr. Bhushan Yadav, Mr. Aditya Hire and Mr. Chinmay Godse, Advocates for the Applicant.

Mr. P. P. Jadhav, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd FEBRUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 82 of 2020 registered with Goregaon Police Station, Mumbai for the offences punishable under Sections 465, 467, 468, 471, 409, 420, 120(B), 209, 34 of Indian Penal Code, 1860.

2. It is prosecution's case that the applicant, City Survey Officer and co-accused tampered with City Survey Maps of Goregaon area which were in their custody and showed certain structures constructed on the said property. In fact, there were no structures on the said property, the said tampering was done to reap benefits of illegal constructions.

3. It is contention of learned Senior counsel for the applicant that

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the applicant is the whistle blower. He had filed complaint when he noticed the tampering in records. After verifying the complaint, enquiry began. The police filed two chargesheets against the co-accused. In third chargesheet, name of the applicant is mentioned. No specific allegations are made against the applicant except that he has not verified the maps while issuing the certified copies. The departmental enquiry is conducted. The applicant has been exonerated from the charges leveled against him in the said departmental enquiry. The applicant is a Government Officer. He has no antecedents. He is behind bars for around ten months. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant is the main culprit. He was incharge of the office where tampering of the map occurred. He has issued the maps without verifying the original map. By fiddling with the said maps, the structures were shown as erected on the plot of land whereas there were no structures. There is involvement of the applicant and co-accused who are government servants. They have cheated the Government. Though the applicant is exonerated in departmental enquiry, there is sufficient material against him in the chargesheet. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet

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and documents produced on record. The main allegations of tampering in the maps are against the co-accused Soma Marade. He has been released on bail. The main allegations against the applicant are that he had not verified the certified copies of map with original maps. The departmental enquiry is conducted. In the said enquiry, the applicant has been exonerated from the charges leveled against him. When this Court asked the learned APP about the specific role of the applicant, learned APP submitted that it was duty of the applicant to verify the original map with the certified copy but it was not done. In my view, there are no allegations against the applicant of tampering with the maps. The applicant is a Government servant. Investigation is completed. Chargesheet has been filed. The applicant is behind bars for around ten months. Considering these facts, I pass following order.

ORDER

- i. The applicant be released on cash bail of Rs.50,000/- in C.R.No. 82 of 2020 registered with Goregaon Police Station, Mumbai, on furnishing P.R. Bond of same amount.
- ii. The applicant shall furnish one or two sureties of Rs.50,000/- within one month of release from jail.

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- iii. The applicant shall attend the concerned police station as and when required.
 - iv. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)