

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4418 OF 2021

Vijay Trimbak Pandit	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Hrishikesh Mundargi a/w. Mr. Meghdeep Oak, for the Applicant.

Ms. M. R. Tidke, APP for the Respondent / State.

MAMTA
AMAR
KALE

Digitally signed
by MAMTA
AMAR KALE
Date:
2022.03.01
15:57:22 +0530

**CORAM : C.V. BHADANG, J.
DATE : 28 FEBRUARY 2022**

P.C.

. By this Application, the Applicant (Accused No.2) is seeking bail in Crime No.176/2020 of Police Station Chandwad, District Nashik, under Section 419, 420, 467, 468, 474 and 471 r/w. 34 of IPC.

2. The aforesaid crime is registered on the basis of the complaint dated 10 October 2020 lodged by Ganesh Pandurang Gavali. According to the informant, the Applicant and the co-accused had induced him and others to part with an amount of Rs.30,000/- each

assuring them the benefits of a scheme implemented by the Social Welfare Department of Zilla Parishad, Nashik. The Applicant is alleged to have visited the shop of the informant on 15 September 2020 with the co-accused introducing them as officers of the Social Welfare Department of the Zilla Parishad, Nashik. The informant claims that the Applicant had represented that he alongwith co-accused can manage to secure the benefit of a car, tractor or agricultural equipments or land from the State. It is also alleged that the Applicant had prepared fabricated Identity cards of the Social Welfare Department of Zilla Parishad, Nashik and receipts.

3. I have heard the learned counsel for the parties. Perused record.

4. It is submitted by the learned counsel for the Applicant that Applicant was arrested on 10 October 2020 and since then is in custody. The Applicant has not received any amount. It is submitted that in fact the son and the nephew of the Applicant had also invested in the so called scheme for securing the benefits of the Government scheme. It is submitted that the investigation is complete and the chargesheet is filed.

5. Learned APP has submitted that there is preparation of forged documents creating Identity Cards and the Applicant was actually involved in inducing those persons to part with the amount.

6. I have considered the circumstances and the submissions made.

7. *Prima facie*, it appears that there is no material to show that any such amount is personally received by the Applicant. There are no allegations that any such amount has been credited to the account of the Applicant. The prosecution alleges that the Applicant was present and had stood by the said 'scheme' inducing the other persons to part with the amount. The investigation is complete and the chargesheet is filed. The offences are triable by a Magistrate. The total amount involved is said to be Rs.1,61,700/-. Considering the over all circumstances, I do not find any justification to detain the Applicant behind bar pending trial.

8. In the result, the following order is passed.

ORDER

- (i) The Criminal Bail Application is allowed.
- (ii) The Applicant Vijay Trimbak Pandit be released on bail, on executing a P.R. Bond in the sum

of Rs.25,000/- with one or two solvent sureties in the like amount.

(iii) The Applicant shall undertake to remain present during the course of the trial, unless exempted.

(iv) The Applicant shall not tamper with the prosecution evidence/witnesses.

(v) It is made clear that the observations made herein are *prima facie* in nature, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(vi) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.