

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, NASHIK,
AT – NASHIK.

(Presided over by Mr. M. H. Shaikh)

Criminal Bail Application No.1232 of 2022

CNR NO.MHNS010053102022



Dr. Swapnil Digambar Saidane ... Applicant/Accused.

V/S

State of Maharashtra

Through – Nashik Taluka Police Station ... Respondent/State.

Appearance : Ld. Adv. Shri. Rajesh D. Avhad for Applicant/Accused.
Ld. A.P.P. Shri. Sachin Gorwadkar for Respondent/State.
I.O., P.I. Nashik Taluka Police Station present.

ORDER BELOW EXH. NO.1

(Delivered on 19th October, 2022)

1. This is an application under Section 439 of Cr.P.C. for regular bail.
2. Read the application and the say filed by the respondent vide **Exh.4.**
3. Heard Ld. Advocate for applicant, Ld. A.P.P. for the State and the I.O. in person.

4. It is the prosecution case that, for inter-district transfer of Police, the accused No.1 had received the applications. Accused No.1 with the help of accused Nos.2 to 5 and other accused persons, prepared false certificates of the relatives of the Police, who seek inter-district transfers. The accused No.1 and the applicant was instrumental in preparing the file to be put-up before the committee. In this way, the applicant and other accused persons had cheated the Government and prepared forged documents. Therefore, Crime came to be registered.

5. It is the case of the applicant that, he is falsely implicated in this case, investigation in his regard is over. Ready to abide by the conditions likely to be imposed.

6. Respondent objected on the grounds that, applicant is the main culprit in preparing the false and forged certificates. He had prepared false seal of Hospital. Applicant if released on bail will tamper with the evidence. Other accused persons are yet to be arrested. Therefore, prayed to reject the application.

7. Upon hearing and going through the material placed on record, what can be gathered is that, it is an allegation against the applicant that he issued false certificates of the relatives of the Police, who wish to get inter-district transfers.

8. The applicant was remanded to police custody and in the custody the search of his Hospital and house was taken. Custodial interrogation is over. Certificates are seized by the I.O. As far as, the apprehension of the respondent that, the applicant may tamper with the

evidence. For that condition can be imposed. Applicant is suffering from ailments and it is evident from the certificates filed on record. As the other accused persons are yet to be arrested, on that count, the applicant can not be kept in Jail for an indefinite period. Offences alleged are triable by the Ld. J.M.F.C., Court. Therefore, this Court finds that, discretion can be invoked in favour of the applicant. Hence, the order.

ORDER

1. Criminal Bail Application No.1232/2022 is allowed.
2. Applicant Dr. Swapnil Digambar Saidane be released on bail in connection with C.R. No.I-151/2022 registered with the respondent Nashik Taluka Police Station for an offence punishable under Sections 420, 467, 468, 471 r/w 34 of the Indian Penal Code, on his executing a personal bond of Rs.15,000/- with one solvent surety in like amount to the satisfaction of the concerned Ld. J.M.F.C. Court.
3. Applicant not to threaten and pressurize the complainant and the witnesses.
4. Applicant not to tamper with the prosecution evidence.
5. Applicant not to repeat the same offence in future.
6. Inform the order to the I.O. and the Ld. J.M.F.C. Court.
7. Bail before the Ld. J.M.F.C. Court.
8. In above terms, the Criminal Bail Application No.1232/2022 stands disposed off accordingly.

Place : Nashik.
Date : 19/10/2022

(M. H. Shaikh)
Additional Sessions Judge, Nashik.