

(Judgment)

Special Case (ACB) No.74/2019
State -Vs- Narendra Ingle

CNR : MHAM010025122019	Presented on	:-	06.05.2019
	Registered on	:-	06.05.2019
	Decided on	:-	16.06.2026
	Duration	:-	07Y. 01 M. 10D.
	Exhibit No.	:-	44

Form No. XXXII

'A'

(Title page of Judgment)

(Para 44(i) of Chapter VI of Criminal Manual)

<u>IN THE COURT OF ADDITIONAL SESSIONS JUDGE (COURT NO.3)</u> <u>AMRAVATI</u> (Presided by P.P. Sharma) <u>(Judgment delivered on: 16.06.2026)</u>	
Special Case (ACB.) No. 74/2019 Crime No. 25/2019, Police Station, Nandgaon Khandeshwar, Tq. Nandgaon Khandeshwar, Dist. Amravati.	
Prosecution	State of Maharashtra, Through the Police Station Officer, Police Station, Nandgaon Khandeshwar, Tq. Nandgaon Khandeshwar, Dist. Amravati
Represented by	Shri M. S. Joshi, learned APP for State.
Accused	Narendra Ramdas Ingle, Aged about 45 years, Occ. : Service/Gramsevak, R/o. Ambada, at present C/o. Shri Gawande's House, Dandge Layout, Nandgaon Khandeshwar, Tq. Nandgaon Khandeshwar, Dist. Amravati
Represented by	Shri. P. N. Bhelande, learned Advocate for Accused.

Part - 'B'
(Para 44 (ii) of Chapter VI of Criminal Manual)

Date of Offence	01.02.2019
Date of FIR	02.02.2019
Date of Charge Sheet	06.05.2019
Date of Framing Charges	23.12.2019
Date of commencement of evidence	10.03.2026
The date on which Judgment is reserved	04.06.2026
Date of Judgment	16.06.2026
Date of the sentencing order, if any	--

Accused details

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on bail	Of-fences charges with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for the purpose of Section 428, Cr.PC.
	Narendra Ramdas Ingle	02.02.2019	04.02.2019	U/s. 7 of the Prevention of Corruption Act.	Acquitted	--	--

J U D G M E N T

(Delivered on 16 day of June, 2026)

The accused is facing trial for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988.

2] In short, the case of the prosecution runs as follows;

(A) Shaikh Babbu is the original complainant. He lodged a complaint (Exh.13) with the Anti-Corruption Bureau (ACB), Amravati. According to him, his wife is 100% disabled and, under the Government scheme, he intended to convert his ration card into an *Antyodaya* Ration Card. For that purpose, he submitted an application to the Tahsildar (Food Supply), Nandgaon Khandeshwar, on 21.09.2018. He was informed that a resolution of the Gram Panchayat was necessary for such conversion.

(B) Accordingly, Shaikh Babbu approached the Gram Panchayat office for obtaining the required resolution. On 26.01.2019, at about 11.00 a.m., he met the accused, Narendra Ingle, who was serving as Gram Sevak. When he requested the resolution, the accused allegedly demanded Rs. 1,000/- for issuing it. As the complainant did not have sufficient money, he returned without making any payment.

(C) On 28.01.2019, the complainant contacted the accused over the phone and again requested the resolution. It is alleged that the accused once again demanded a bribe of Rs.1,000/-. As the complainant was not willing to pay the bribe, he approached the ACB office.

(D) On 31.01.2019, the complainant visited the ACB office at Amravati and met Dipali (PW-2). He informed her about the alleged demand for a bribe. His complaint was reduced to writing by Dipali (PW-2) and is exhibited at Exh. 13. Thereafter, two panch witnesses, namely Ramesh (PW-1) and Rajesh Kharate, were called. It was decided to verify the alleged demand. Dipali (PW-2) instructed the complainant to contact the accused and ascertain his location. Accordingly, the complainant called the accused and was informed that he would be available in the afternoon. Necessary instructions were given to Ramesh (PW-1), and a verification panchanama (Exh.14) was prepared.

(E) At about 3.00 p.m., the complainant, panch witness, and the raiding party proceeded towards Nandgaon Khandeshwar. After reaching a suitable place, the complainant again contacted the accused and obtained his location. The accused informed him that he was present in his office. Thereafter, the complainant and Panch Witness No. 1 visited the accused's office. During the conversation, the accused allegedly reiterated his demand for Rs. 1,000/-. The complainant returned after seeking some time for payment. On receiving information regarding the verification of demand, Dipali (PW-2) decided to lay a trap.

(F) Pre-trap formalities were completed. The complainant produced Rs. 1,600/-, which was treated as the tainted amount. Anthracene powder was applied to the currency notes by members of the raiding party. The tainted currency notes were then handed over to the complainant. He was instructed to

accompany Panch Witness No.1 to the office of the accused and to hand over the tainted amount only if a demand was made. He was further instructed to give a predetermined signal by removing his handkerchief from his pocket after accepting the amount.

(G) In accordance with the instructions, the complainant and Ramesh (PW-1) proceeded to the office. A conversation took place between the complainant and the accused. It is alleged that the accused demanded a bribe, whereupon the complainant handed over the tainted currency notes. Immediately thereafter, the raiding party entered the office and completed the necessary formalities. The tainted amount was recovered. Dipali (PW-2) conducted the necessary inquiry with the complainant and Panch Witness No.1. Upon completion of the trap proceedings, Dipali (PW-2) concluded that the accused had accepted the bribe amount. Consequently, an FIR (Exh.42) was registered against the accused vide Crime No.25/2019 for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. Dipali (PW-2) thereafter undertook further investigation.

(H) During the course of investigation, Dipali (PW-2) arrested the accused. She prepared the panchanama of the conversation that allegedly took place during the trap (Exh.27) and also prepared the unsealing panchanama (Exh.28). The mudde mal property was deposited at the police station. Voice samples of the complainant and the accused were collected. Information regarding the appointment and service particulars of the accused was obtained from the competent authority.

Statements of witnesses were recorded. A proposal seeking sanction for prosecution was forwarded to the competent authority. Upon receipt of sanction, the charge-sheet came to be filed. During the above procedure, verification panchanama (Exh.14), Japti Patrak (Exh.15), verification trap panchanama (Exh.17), Japti Patrak (Exh.18 to 26), voice sample panchanama (Exh.27), and Japti Patrak (Exh.28 to 32 were prepared.

3] After filing of the charge-sheet, process was issued against the accused for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. In response to the summons, the accused appeared before the Court.

4] My learned predecessor framed charge (Exh.3) against the accused for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. The charge was read over and explained to the accused in the vernacular. The accused pleaded not guilty and claimed to be tried. His defence is one of total denial.

5] In support of its case, the prosecution examined two witnesses. Ramesh (PW-1) is the panch witness, and Dipali (PW-2) is the investigating officer. The original complainant had died before trial and therefore could not be examined. Apart from oral evidence, the prosecution relied upon verification panchanama (Exh.14), Japti Patrak (Exh.15), verification trap panchanama (Exh.17), Japti Patrak (Exh.18 to 26), voice sample panchanama (Exh.27), Japti Patrak (Exh.28 to 32. The accused did not enter the witness box or examine any witness in defence.

6] The statement of the accused under Section 313 of the Code of Criminal Procedure was recorded. He denied all incriminating circumstances appearing against him in the prosecution evidence. He also filed a separate written statement contending that he had been falsely implicated.

7] I have heard the submissions advanced by the learned APP for the State and the learned Advocate Shri P. N. Bhelande appearing for the accused.

8] In light of the rival submissions, the following points arise for determination:

S.N.	Points	Findings
1)	Whether the prosecution proves that on 01.02.2019, between 5.56 p.m. and 6.06 p.m., at the office of Gram Panchayat Fubgaon, Taluka Nandgaon Khandeshwar, District Amravati, the accused, being a Gram Sevak and thus a public servant within the meaning of Section 2(c) of the Prevention of Corruption Act, 1988, demanded and accepted an amount of Rs.1,000/- from the complainant, Shaikh Babbu, as illegal gratification for converting his APL ration card into an Antyodaya ration card, and thereby committed an offence punishable under Section 7 of the Prevention of Corruption Act, 1988?	No.

2)	What Order?	
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REASONS

AS TO POINTS NO. 1 AND 2:-

9] To establish the charge under Section 7 of the Prevention of Corruption Act, the prosecution is required to prove the following essential ingredients: (i) that the accused made a demand for illegal gratification from the complainant, (ii) that such demand was verified, (iii) that the accused accepted the tainted amount and the same was recovered from his possession, (iv) that the work in respect of which the demand was made was pending with the accused at the relevant time and (v) that a valid sanction for prosecution had been obtained.

10] Bearing in mind the above essential ingredients, I proceed to verify and scan the evidence.

11] Ramesh (PW-1) is the panch witness. He stated that, as instructed by the Investigating Officer, he accompanied the complainant during both the verification and trap proceedings. His evidence runs into three pages. He further stated that he was sitting in an auto-rickshaw and, therefore, was not in a position to hear the conversation between the complainant and the accused. He deposed that, in his presence, the accused accepted the amount from the complainant.

12] Dipali (PW-2) is the Investigating Officer. She was present during both the verification and trap proceedings. She

stated that the complainant narrated the allegations to her. She arranged for the panch witnesses and briefed them regarding their duties. According to her, the verification of the demand and the trap proceedings were conducted as per her instructions.

12A] In her cross-examination, she admitted that certain taxes were outstanding against the complainant. She had called for Resolution Nos. 15 and 17 from the Block Development Officer. However, Resolution No. 15 was not produced on record. She further admitted that, as per Resolution No. 15, it had been resolved that an amount of Rs.1,000/- would be collected from the complainant as a donation to the Gram Panchayat.

13] The prosecution has relied upon the aforesaid evidence. I have carefully considered the oral and documentary evidence on record. In the present case, the original complainant, who allegedly lodged the complaint and participated in the trap proceedings, expired before the commencement of the trial and, therefore, could not be examined. Consequently, the prosecution has been deprived of its principal witness for proving the initial demand, verification of demand, and acceptance of the alleged bribe amount.

14] The evidence of Ramesh (PW-1), the panch witness, and Dipali (PW-2), the Investigating Officer, has been carefully scrutinized. The Investigating Officer has merely narrated the steps taken during the investigation and trap proceedings. Her evidence cannot substitute the substantive evidence of the complainant regarding the demand for illegal gratification.

15] Though the prosecution has relied upon the trap proceedings and the recovery of tainted currency notes, the foundational fact of demand has not been established through legally admissible and reliable evidence. In the absence of the complainant's testimony, there is no substantive evidence on record to prove that the accused demanded any illegal gratification from him.

16] The evidence of Ramesh (PW-1), at the highest, establishes only the procedural aspects of the trap. However, unless the demand and acceptance of illegal gratification are independently proved, the mere recovery of tainted currency notes cannot give rise to a presumption of guilt. It is also significant that he specifically admitted that he was positioned at a place from where he could not hear the conversation between the complainant and the accused. Therefore, insofar as the alleged demand of bribe is concerned, his testimony is merely hearsay in nature.

17] The prosecution has also relied upon the recorded conversations and transcripts (Article-B). However, in the absence of satisfactory proof regarding the identity of the speakers and in the absence of substantive evidence from the complainant, such material cannot, by itself, conclusively establish the demand for illegal gratification.

18] The investigation officer Dipali (PW-2) stated that she had sought the sanction. However, I do not find the sanction order on the record.

19] Even assuming, for the sake of argument, that the

prosecution has proved that the accused accepted the amount, such proof alone is insufficient to conclude that the amount constituted illegal gratification. In this regard, I have considered Resolution Nos. 15 and 17 (Exhs. 38 and 39) produced by the accused. These resolutions were passed by the Gram Panchayat. As per Resolution No. 15, it was resolved that an amount of Rs.1,000/- should be collected from the complainant before issuing the requisite certificate. According to the prosecution, the accused demanded Rs.1,000/-. Therefore, the possibility cannot be ruled out that the said demand was made in compliance with the Gram Panchayat resolution rather than as illegal gratification.

20] Thus, the prosecution has failed to prove beyond reasonable doubt that the accused demanded and accepted an amount of Rs.1,000/- as illegal gratification from the complainant for converting his ration card into an Antyodaya Ration Card. Furthermore, it remains unexplained why the complainant produced Rs.1,600/- during the trap proceedings when the alleged demand was only Rs.1,000/-. No satisfactory explanation for this discrepancy is forthcoming from the evidence on record.

21] Criminal jurisprudence requires that the prosecution must establish its case beyond reasonable doubt. Where two views are possible, the view favourable to the accused must be adopted. In the present case, serious doubt exists regarding the essential ingredients of demand and acceptance. Therefore, the accused is entitled to the benefit of doubt. Consequently, Point No.1 is answered in the negative and in answer to Point No.2, I pass the following order:-

ORDER

1. The accused is acquitted of the offence punishable under Section 7 of the Prevention of Corruption Act, 1988, vide Section 235(1) of the Code of Criminal Procedure.
2. His bail bonds shall stand cancelled.
3. After the appeal period is over,
 - A) The memory cards and other electronic item (article B) that are produced before the Court be disposed of as per Electronic Waste(Management) Rules 2022 and other rules time being in force.
 - B) Rs.1,600/- (article A) be deposited to the State, as the complainant is dead.
4. The accused is directed to execute a fresh P. R. and S.B. of Rs.25,000/- each with one surety of like amount each as per Section 437-A of the Code of Criminal Procedure.

Pronounced in open Court.

Date : 16/06/2026

(P. P. Sharma)
Additional Sessions Judge,
(Court No.3) Amravati.

PART - C**[Criminal Manual Chapter VI, Para 44(iii)]****LIST OF PROSECUTION / DEFENCE / COURT WITNESSES****A] Prosecution :**

RANK	NAME	EXHIBIT NO.	NATURE OF EVIDENCE
PW-1	Ramesh Motiramji Hade	12	Panch witness
PW-2	Dipali Vasantrao Pohonkar	36	Investigating Officer

B] Defence witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
Nil.	Nil.	Nil.

C] Court witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
Nil.	Nil.	Nil.

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**A] Prosecution :**

Sr. No.	Exhibit Number	Description
1.	13	Written Complaint
2.	14	Pre-trap panchanama
3.	15, 18, 20 to 26, 28, 32	Japtipatrak
4.	16, 29	Notice (Suchanapatra)
5.	17	Trap panchanama
6.	19	Description of the currency notes.

7.	27	Voice specimen panchanama
8.	30,31,33, 34, 40	Hash Generation Certificate
9.	37	Letter to Assistant Director, Town Planning, Amravati Division, Amravati
10.	38, 39	Office order issued by ADTP, Amravati
11.	41	Memorandum
12.	42	Report
13.	43	FIR
14.	44	Arrest / Court Surrender Form
15.	45	Script.

B] Defence :

Sr.No.	Exhibit Number	Description
	Gram Panchayat Resolution	Exh.38 and 39.

C] Court Exhibits :

Sr.No.	Exhibit Number	Description
	Nil.	Nil.

D] Material Objects :

Sr.No.	Exhibit Number	Description
	Article A	Currency notes
	Article B	CD

Date : 16/06/2026

(P. P. Sharma)
Additional Sessions Judge,
(Court No.3) Amravati.

(Judgment)

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Special Case (ACB) No.74/2019
State -Vs- Narendra Ingle

CERTIFICATE

I affirm that the contents of this PDF file Judgment are the same word for word as per the original Judgment.

Name of the Stenographer: J. K. Fartode,
Court: P. P. Sharma,
District Judge-3 & A.S.J., Amravati
Date: 16-06-2026
Judgment signed by the
Presiding Officer on: 16-06-2026
Judgment uploaded on: 16-06-2026