

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO.712 OF 2016

Vaibhav S/o. Tanaji Bachankar and others .. Petitioners

Versus

The State of Maharashtra and another .. Respondents

Mr. Shrikant T. Veer, Advocate for the petitioners
Mrs.P.V.Diggikar, APP for the respondent/ State

**WITH
CRIMINAL WRIT PETITION NO.711 OF 2016**

Rahul S/o. Pandurang Jadhav and others .. Petitioners

Versus

The State of Maharashtra and another .. Respondents

Mr. Shrikant T. Veer, Advocate for the petitioners
Mrs.P.V.Diggikar, APP for the respondent/ State

**CORAM : A.V.NIRGUDE &
V.L.ACHLIYA, JJ.
DATED : 04.08.2016**

P.C. :-

1. There are sixteen petitioners before us. All of them are named as accused in Crime No.189/2016 registered with Cantonment Police Station, Aurangabad for the offences punishable under Sections 420,468 and 471 of the

Indian Penal Code. All the petitioners/accused produced certain Domicile certificates for the purpose of making application for employment in Military. Certificates were sent for verification to Tahasil Offices. These Tahasil Offices then reported to Recruitment Officer that the certificates did not belong to their Offices. The complainant, therefore, alleged that certificates issued by the petitioners were forged.

2. Learned counsel for the petitioners tried to submit that the allegations against his clients are made without verifying as to whether information in the Domicile, Age, Nationality Certificates is incorrect. In other words he tried to suggest that if the information contained in the certificates could be found to be correct, there cannot be any case filed against his clients. We do not agree with these submissions. What is written in the certificates is not important but the manner in which certificates are issued should have legal sanctity. The certificates are issued after due enquiry by the Government Officers sitting in Tahasil Offices or the Collector Office. There are rules and regulations for verifying the claims and it is only after their satisfaction the Officers would issue such certificates. Such certificates, thus, are valuable documents and genuineness of same is of very importance. If a candidate

does not produce genuine certificate, then he can certainly be the accused of relying on forged documents and offences under Sections 420, 468 & 471 of Indian Penal Code are attracted to such act. Thus there is strong *prima-facie* case made out in the FIR against the petitioners.

3. Offence was registered long back on 26.05.2016 and yet we are told that the Investigating Officer could not arrest the accused.

4. The offences lodged against the petitioners are cognizable, in which custodial interrogation is necessary. The offence of forging Government documents is of serious nature and must be treated seriously even by the police. We are, therefore, inclined to reject the application.

5. In view of above both the criminal writ petitions are dismissed and accordingly disposed of.

[V.L.ACHLIYA, J.]

[A.V.NIRGUDE, J.]