



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.47 OF 2025

Gulab Pandhari Kolhe

Vs.

State of Maharashtra, through Police Station Officer, Pachpaoli Police
Station, Pachpaoli, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. S. Khubalkar, Counsel for the applicant.
Ms. H. N. Prabhu, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/03/2025

1. Apprehending the arrest at the hands of police in connection with crime No.867/2024 registered with Police Station, Pachpaoli, Nagpur for the offence punishable under Sections 409, 420, 468 and 471 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant, who submitted that the applicant was appointed as Assistant Teacher at Om High School in the year 1999 run by Bharatiya Goswami Shikshan Mandal, Lalganj, Nagpur. In the year 2011, Shri R. B. Mudgal was promoted as head teacher of the school by the administrator. After one and half months, Shri R. B. Mudgal demoted from the post of head teacher and the applicant was promoted as head teacher of Om

High School. It is alleged that the present applicant has produced the forged document and after it revealed, the another teacher Shri R. B. Mudgal reinstated with retrospective effect as head teacher from the date of his promotion as head teacher.

3. In the year 2016, the strength of the students in the school was reduced. Therefore, the post of head teacher was disbanded. It is further alleged that on 06.04.2016, the applicant delegated with the administration and financial powers of the school by the Bhartiya Goswami Shikshan Mandal Lalganj, Nagpur.

4. In the year 2024, School Committee Member-cum-Assistant Teacher Shri D. Hatwar given a letter to the President of the School Committee. The inquiry was conducted in connection with the letter given by Shri D. Hatwar and it revealed that on 17.07.2023, the applicant obtained the signatures of the Assistant Teacher and employees of the school and submitted that the proposal to sanction senior grade pay to him. The inquiry conducted by the Education Department reveals that the applicant prepared a false document by putting a forged signature of the Secretary and gets the benefit of senior grade pay. On the basis of the said allegations, the crime is registered against the present applicant.

5. Learned Counsel for the applicant submitted that as far as the investigation part is concerned, the applicant is cooperating with the investigating agency. The relevant document is in the custody of the Management. As far as the custodial interrogation of the present applicant is concerned, which is not required. In view of that, the interim protection granted to the present applicant deserves to be confirmed.

6. Learned APP strongly opposed the said application and submitted that the involvement of the present applicant revealed from the inquiry Committee by the Management and therefore, the application deserves to be rejected.

7. On hearing both the sides and on perusal of the application as well as the reply filed by the State it reveals that the applicant is cooperating with the investigating agency. As far as the document which is forged one is concerned, which is in the custody of the Management which can be seized by the investigating agency from the Management. The reply filed by the State itself sufficiently shows that the applicant is cooperating with the investigating agency. As far as the part of the interrogation is concerned, which can be taken care of by imposing certain conditions on the present applicant. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) In the event of arrest, the applicant **Gulab Pandhari Kolhe** shall be released on anticipatory bail in connection with crime No.867/2024 registered with Police Station, Pachpaoli, Nagpur for the offence punishable under Sections 409, 420, 468 and 471 of the Indian Penal Code, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall attend the concerned Police Station twice in a week on Monday and Thursday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)