



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

CRIMINAL APPLICATION (ABA) NO. 93 OF 2025

Gaurai w/o Divakar Puri @ Gauri Rajabhau Goswami Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.R. Vyas, counsel for applicant.

Ms. T.H. Udeshi, APP for non-applicant/State.

Mr. D.S. Jagyasi, counsel for Assist to Prosecution.

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

1. Apprehending the arrest at the hands of police in connection with Crime No. 07/2025 registered with Police Station Hudkeshwar, Nagpur for the offence punishable under Sections 212, 318(4), 336(3), 340(2), 3(5) of Bhartiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant, who submitted that a crime is registered against the present applicant on the basis of a report lodged by Hemant Deoram Ganjre on an allegation that he is serving in SFS High School, Nagpur, since 2005 as the assistant teacher. In the year 2022, he received information that on the basis of forged and fake documents, the present applicant had secured a service at Sarvashri Madhyamik and Higher Secondary School, Nagpur, which having grant from the government. Thereafter, he applied for the relevant

documents from the Education Officer under the Right to Information Act, 2005 and received copies of the B.Sc. and B.Ed. certificates of the applicant, which include the B.Ed. Mark-sheet of July 2014 from IFTM University and the B.Sc. Mark-sheet of William Carey University, Meghalaya. Thereafter, he also collected information in respect of the B.Ed. Mark-sheet of IFTM University and came to know that it is a forged document. Thus, it is alleged that the present applicant has obtained the service by using forged and fake documents and cheated the government and caused wrongful loss to the public exchequer since July 2014. On the basis of the said report, police have registered the crime.

3. Learned counsel for the applicant submitted that, at the time of joining the service, her entire documents were verified by the education officer. At the relevant time, the necessary information was called by the education officer, and it nowhere reveals at the relevant time that documents were forged.

4. He submitted that as there was a dispute between the present applicant and the institutions, and therefore, to make her a target, this false and fabricated FIR is lodged against her. He submitted that the applicant has cooperated with the investigating agency, her custodial interrogation is not required. In view of that, she be released on anticipatory bail.

5. Learned APP and learned counsel for the complainant strongly opposed the said application and submitted that at the inception itself the applicant has produced his forged documents. The investigation papers and the inquiry conducted by the education officer show that the applicant, with intent to defraud the government, obtained the service on the basis of the forged document. Considering the conduct of the present applicant, the application deserves to be rejected.

6. After hearing both sides and on perusal of the investigating papers, it reveals that the applicant was appointed as an Assistant Teacher in the year 2014. At the time of joining the service, she submitted her documents like her B.Ed mark-sheet, her graduation decree, and other documents. Thereafter, she was promoted, and thereafter, again, she was demoted also. During the investigation, it revealed that she had obtained the service under the N.T. category.

7. As the complaint was received from the complainant, therefore, Education Officer has conducted the inquiry, and during the inquiry, it revealed to the Education Officer that she has produced the degree certificate of William Carey University, Shillong, Meghalaya, wherein Marathi subject is not taught, as well as IFTM University, Muradabad, Uttar Pradesh, wherein also the Marathi subject is not taught. She has also issued the documents showing that she has obtained the degree

of Bachelor of Arts from the Sabarmati University, Ahmedabad, and a B.Ed degree. The communication of Sabarmati University, Ahmedabad, shows that said degree certificates are fraudulent and misrepresented, as the University has not issued any such degree.

8. Thus, it is apparent from the investigation papers that the applicant, in order to obtain the service, i.e., Government Service, with the help of forged documents, obtained the said job and deprived the other eligible candidate from getting the service. She has obtained the said job from the N.T. category. The inquiry conducted by the Education Officer shows that the degrees, which are allegedly obtained by her from the William Carey University, Shillong, Meghalaya, and IFTM University, Moradabad, are also forged degrees.

9. Thus, considering the investigation carried out by the investigating officer and considering the inquiry conducted by the education officer, the involvement of the present applicant in the alleged offence revealed. The intention of the present applicant can be gathered from the circumstance that since inception there was an intention to dupe the Government and other Public Exchequers, and by submitting the forged documents, the job was secured by the present applicant.

10. Considering the nature of the evidence collected against the present applicant, admittedly her

custodial interrogation is required for the interrogation purpose, and therefore, the application deserves to be rejected. Accordingly, I proceed to pass the following order:

a] The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]