



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [ABA] NO. 360 OF 2025.

Ravindra Panjabrao Salame

-VERSUS-

The State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri M.N. Ali, Advocate for the Applicant.
Shri S.D. Futane, A.P.P. for the Non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : MAY 23, 2025.

Heard.

2. This is an application for grant of anticipatory bail in relation to First Information Report No.0254/2025 registered with Sadar Police Station, Nagpur for the offence punishable under Sections 120-B, 409, 420, 465, 468, 472, 472 read with Section 34 of the Indian Penal Code.

3. It is the case of prosecution that one Parag Nanaji Pudke (accused no.1) was not holding requisite experience for appointment to the post of Headmaster. However, he was appointed on the post of Headmaster at Nanaji Pudke

Vidayalaya, Jevtala, Tahsil Lakhani, District Bhandara on 17.07.2023. It is the case of prosecution that employees in the office of the Deputy Director of Education, Nagpur Division, Nagpur, Education Officer (Secondary), Zilla Parishad, Nagpur and other officers had processed the proposal for approval to the appointment of accused no.1, and also for issuance of Shalarth ID in his name. Shalarth ID is needed for payment of salaries of employees of private schools admitted to grant-in-aid. The accused no.2 was working on the post of Deputy Director of Education, Nagpur Division, Nagpur at the relevant time.

4. Perusal of the case papers demonstrate that the accused no.2 Deputy Director has granted permission for issuing advertisement for appointment to the post of Headmaster on 28.06.2023. Accordingly an advertisement calling candidates for interview came to be published on 01.07.2023. Thereafter appointment order in favour of accused no.1 came to be issued on 17.07.2023, and proposal for approval was forwarded by the Management on 19.07.2023. The proposal for approval, as stated above, was

forwarded by a Clerk to the applicant on 21.07.2023 and he has immediately cleared the same on the very same day. The order of approval is also issued on the same day i.e. 21.07.2023.

5. Subsequently, it was found that the documents which were forwarded along with the proposal for granting approval, relating to past experience of the accused no.1 were false documents. The accused no.1 has placed reliance on the experience certificate purportedly issued by Onkar Multipurpose Shikshan Sanstha, Nagpur indicating that he was working on the post of Assistant Teacher at SKV High School, Yadav Nagar, Nagpur, run by the said Society from 01.08.2017 to 31.12.2022.

6. It will be pertinent to mention that the said experience certificate dated 31.12.2022 is found to be a bogus document. The office bearers of the said society have denied issuance of any such certificate. It is also revealed that the accused no.1 does not have any experience of working on the post of Assistant Teacher and was as such not eligible for

appointment to the post of Headmaster. Nonetheless, the proposal for approval to his appointment was cleared within a period of two days. It was received on 19.07.2023 and was cleared after making a show of completion of all formalities on 21.07.2023. It will be also pertinent to note that the order of approval is issued on the same day i.e. 21.07.2023.

7. It appears from the documents produced by the prosecution for perusal of this Court, that as per the accused No.1, the applicant had received a sum of Rs.8 lakhs from the accused no.1 for himself and for Education Officer Sanjay Dorlikar in order to clear the proposal. The undue haste in which the matter is proposed by itself indicates some foul play in the matter. It is surprising that on receiving the proposal for approval, the applicant and other authorities did not even bother to cross-check and make appropriate enquires with respect to the documents forwarded along with the proposal for approval and have cleared the proposal and granted approval within a period of two days from the date of its receipt. There is a deep rooted conspiracy which needs to be unearthed. A huge scam pertaining to issuance of fake Shalarth IDs is

recently unearthed in Vidarbha Region. It is obvious that such bogus proposals cannot be cleared without involvement of the officers working in the department. The applicant had an important role to play as Superintendent in the office. He has not even bothered to verify the documents. As stated above, there are allegations of demand of Rs.8 lakhs against the present applicant. Apart from this, there is also allegations against one Mahesh Misalkar [accused no.6] of having received sum of Rs.2,50,000/-.

8. The Hon'ble Apex Court has held in catena of judgments that economic offences constitute a class apart from other offences. Normally, there is deep rooted conspiracy behind every economic offence, therefore while dealing with anticipatory bail application in relation to economic offences a different approach needs to be adopted. Grant of anticipatory bail can cripple the investigation. In such cases, custodial interrogation of accused is necessary. In this context, it should also be noted that normally arrest of an accused is a part of procedure of investigation of a crime, and grant of anticipatory bail is a matter of discretion of the Court which shall be

exercised sparingly in cases involving fiscal offences, as has been held by the Hon'ble Supreme Court in several decisions including in the matters of *P. Chidambaram Vs. Directorate of Enforcement*, (2019) 9 SCC 24, *Y. S. Jagan Mohan Reddy Vs. Central Bureau of Investigation*, (2013) 7 SCC 439 and *State of Gujara Vs. Mohanlal Jitamalji Porwal & anr*, (1987) 2 SCC 364.

9. Having regard to the totality of circumstances, in the considered opinion of this Court, custodial interrogation of the applicant is necessary, and this is not a fit case for grant of anticipatory bail. Criminal Application is therefore, rejected.

JUDGE