



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

CRIMINAL APPLICATION (ABA) NO.548 OF 2025

Dileshkumar s/o Chhabilal Katre and another
Vs.
State of Maharashtra through Police Station Officer, Police Station, Sadar,
District Nagpur

WITH
CRIMINAL APPLICATION (ABA) NO.544 OF 2025

Bhaurao s/o Madhukar Maldhe
Vs.
State of Maharashtra through Police Station Officer, Police Station, Sadar,
District Nagpur

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

Court's or Judge's orders

Mr. I. N. Chaudhari, Counsel for the applicants in ABA No.548/2025.
Mr. D. V. Chauhan, Public Prosecutor(Senior Counsel), a/b Mr. Amit
Madiwale, APP for non-applicant/State in ABA No.548/2025.
Mr. A. N. Shinde, Counsel for the applicant in ABA No.544/2025.
Mr. C. A. Lokhande, APP for the non-applicant/State in ABA No.544/2025.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 13/08/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.254/2025 registered with Sadar Police Station, for the offence punishable under Sections 120-B, 409, 420, 465, 468, 471, 472 read with Section 34 of the Indian Penal Code, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the informant on an allegation that

one co-accused Parag Nanaji Pudake i.e. accused No.1 was appointed illegally as Headmaster and thereby committed cheating with the Government. The informant further alleged that Parag Pudake obtained false and bogus certificate purportedly issued by one S.K.B. Ucha Prathmik/Madhyamik Vidyamandir, Yadav Nagar, Nagpur. One Ulhas Narad, Deputy Director of Education and other officials are involved in the matter. During the investigation, it was revealed that the applicant, namely Bhaurao s/o Madhukar Maldhe in Criminal Application (ABA) No.544/2025, who was working as a Headmaster, had forwarded the proposals of the two persons, out of that Punam Bhagat received the Shalarth ID without having any approval, but she has not drawn any salaries. Thus, the role attributed to the applicant, namely Bhaurao s/o Madhukar Maldhe, is concerned, he has forwarded the proposal for creating the Shalarth ID without having been approval and the role attributed to him reveals that without following a due process, he has filled the information to create the Shalarth ID and the Shalarth ID was created without having any documents.

3. As far as the applicant in another application namely Dileshkumar s/o Chhabilal Katre is concerned, against whom it was alleged that without having an approval the Shalarth ID was created. In fact, the Shalarth ID was created on 10.04.2016,

whereas the approval was granted on 25.04.2016. Thus, the allegation is that prior to the approval the Shalarth ID was created and he has drawn the salaries around Rs.13,00,000/- and caused the loss to the Government. It is alleged that the approval was forwarded and approval was granted on 10.04.2016 which was Sunday. Thus, it is alleged that the approval order itself is a forged order and with the help of the said forged document, the pecuniary gain was received by the applicant namely Dileshkumar s/o Chhabilal Katre.

4. Heard learned Counsel Mr. Choudhari for the applicants, who submitted that initially, the applicants were appointed on unaided basis and subsequently, they were regularized on an aided basis and thereafter, the approval was granted, therefore, their involvement is not in drawing a salary illegally. In view of that, their custodial interrogation is not required, and therefore, they be released on bail.

5. Learned Counsel Mr. Shinde, appearing for the applicant Bhaurao s/o Madhukar Maldhe is concerned submitted that the applicant in Criminal Application (ABA) No.544/2025 was Incharge Headmaster initially, and thereafter, he was promoted as a Headmaster for a period 01.09.2021 to 01.03.2022. Therefore, he was not concerned

with the alleged creating of the Shalarth ID which was for the period from 2015 to 2017.

6. Per contra, learned Public Prosecutor Mr. Chauhan strongly opposed the said applications and submitted that the Shalarth IDs are created without having any approval and the concerned applicants have received the pecuniary gain, their custodial interrogation is required. In view of that, the application deserves to be rejected.

7. After hearing both sides and on perusal of the investigation papers, it reveals that the present applicants were working as Headmaster and Assistant Teachers. The Headmaster, namely Bhaurao s/o Madhukar Maldhe has not verified the record and created the Shalarth ID on the basis of the forged approval letter. It further reveals that the applicant namely Dileshkumar s/o Chhabilal Katre has received the pecuniary gain on the basis of the forged approval and subsequently on the basis of the creation of the Shalarth ID.

8. By Government Regulations dated 20.03.2019, the Deputy Director of Education authorized to include the names of teaching and non-teaching staff in Shalarth system. As per Government Resolution dated 20.03.2019, authority was given to include the names of employee to the Deputy Director of Education of Division/Divisional

President of Secondary and Higher Secondary. As per the procedure laid down in the said Government Resolution is as follows:

(i) After approval by the Education Officer or Divisional President Secondary/Higher Secondary, the concerned school will send proposal to the Education Officer or Deputy Director or Divisional President of Secondary/Higher Secondary.

(ii) On receipt of proposal, the same is to be verified by Deputy Director of Education/Divisional President Secondary/Higher Secondary and pass order to include the name of the said employee in a Shalarth.

(iii) After order is passed by the Deputy Director/Divisional President, Secondary and High Secondary name of the concerned employee is included in Shalarth Pranali.

(iv) After including the name of the employee in Shalarth Pranali, draft is made available on the login of the Headmaster.

(v) The office of the Headmaster will fill the remaining information and forward the draft to the Superintendent, Pay and Provident Fund unit, Zilla Parishad.

(vi) Superintendent, Pay and Provident Fund unit has to verify the information and sanction draft thereafter the Shalarth ID is generated.

9. On the basis of this procedure, which is required to be followed if the role of the applicant in Criminal Application (ABA) No.544/2025 is

considered from the investigation papers, it reveals that said Punam Bhagat's proposal was forwarded by this applicant without having approval and the Shalarth ID was created. He has forwarded two proposals, out of that the Shalarth ID was created in the name of Punam Bhagat, however, she has not drawn the salary, therefore, the role of the present applicant as far as the creating the Shalarth ID without verifying the documents revealed from the investigation papers, therefore, his custodial interrogation is required. Considering the huge magnitude due to which the State Exchequer have sustained the loss to the extent of Rs.145,88,31,698/- and the involvement of the present applicant also reveals therefore, the application for grant of anticipatory bail of the applicant namely Bhaurao s/o Madhukar Maldhe in Criminal Application (ABA) No. 544/2025 deserves to be rejected.

10. Coming to the another applicants namely, Dileshkumar s/o Chhabilal Katre and Rupali d/o Biharilal Rahangdale are concerned, their role is that without having an approval the Shalarthd ID was created in their name and they have also drawn the salaries. Thus, as far as the role of the present applicants in Criminal Application (ABA) No.548/2025 is concerned, which shows that knowingly though they do not have an approval in their name, but the Shalarth IDs are created in their

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name and they have also drawn the salaries. The role attributed to the present applicants sufficiently shows their involvement in the commission of the crime and they are instrumental in causing the loss to the Government Exchequer and therefore, the applications for grant of anticipatory bail deserves to be rejected. Accordingly, I proceed to pass following order.

ORDER

Both the applications are rejected.

(URMILA JOSHI-PHALKE, J.)