



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

CRIMINAL APPLICATION (APL) NO. 1283 OF 2024

Sunil Pandhari Chavhan,
Aged about 48 years, Occupation : Service
R/o. C/o. Bal Tailor, Sevadas Nagar,
Jalgaon Jamod, Tal- Jalgaon Jamod,
Distt. Buldhana

.... **APPLICANT**

// VERSUS //

1. State of Maharashtra,
through its P.S.O. P.S. Jalgaon
Jamod, Tal. Jalgaon Jamod,
Distt. Buldhana.
2. Sayaram Gangaram Kanase,
Aged about 41 years, Occupation :
Unknown, R/o. Charban Umapur,
Jalgaon Jamod, Tah. Jalgon Jamod,
Distt. Buldhana

.... **RESPONDENTS.**

Shri N. S. Warulkar, Advocate for Applicant.
Shri A. B. Badar, A.P.P. for Respondent No.1/State.

**CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.**

DATED : APRIL 02, 2025.

ORAL JUDGMENT : (Per : Anil S. Kilor, J.)

1. Heard.

2. **RULE.** Rule made returnable forthwith. Heard by consent of the learned counsel for the parties.

3. The applicant, who is a Sub-Registrar, by way of this application under Section 482 of the Code of Criminal Procedure praying for quashing of the First Information Report No.414 of 2024, registered with Police Station Jalgaon Jamod, Taluka : Jalgaon Jamod, District : Buldhana for the offences punishable under Sections 419, 420, 468, 471 read with Section 34 of the Indian Penal Code.

4. This is a case of impersonation while registering the document namely Sale Deed. It is alleged that though some different person was produced in place of the informant, the applicant registered the documents without verifying whether the person appeared before him as Vendor is the real Vendor or not.

5. It is not the case of the prosecution that Aadhar Card and other documents which are necessary to be produced at the time of execution of the document for the purpose of identification were not produced and the applicant executed the sale deed in absence of such documents.

6. In the present matter, the learned APP produced record of investigation from where it is apparent that the Aadhar Card in the name of the informant was produced by the person who appeared before the applicant for registration of the Sale Deed, as Sayaram Gangaram Kanase i.e. the informant. The applicant, being the Sub-Registrar, he cannot verify whether the Aadhar Card produced at the time of registration of the document is real one or fake or forged in absence of registration of his office with Unique Identification Authority of India (UIDAI) under the Aadhaar Act, 2016 for the purpose of verification of authenticity of the Aadhaar Card and the identity of the person.

7. In that view of the matter, whatever act done by the applicant was done by him in his official capacity and therefore, considering the nature of the allegations against the applicant, we are of the opinion that no offence constitutes against the applicant, as alleged.

8. Having taken overall view of the facts and circumstances of the present case, we are satisfied that continuation of the criminal

proceedings against the applicant would amount to abuse of process of the Court.

9. In that view of the matter we pass the following order :

- i) The Criminal Application is allowed.
- ii) The First Information Report No.414 of 2024, registered with Police Station, Jalgaon Jamod on 10/08/2024 for the offences punishable under Sections 419, 420, 468, 471 read with Section 34 of the Indian Penal Code, to the extent the applicant is concerned, is quashed.

Rule is made absolute accordingly.

(PRAVIN S. PATIL, J)

(ANIL S. KILOR, J)