



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1163 OF 2026

Dr. Shaikh Ramzan Abdul Ajij And Another
VERSUS
Naseem Iqbal Mamdani And Another

...
Mr. S. M. Amjedali, Advocate for Applicants
Ms. R. R. Tandale, APP for Respondent No. 2/State

...
CORAM : S. G. CHAPALGAONKAR, J.
DATED : 02nd APRIL, 2026.

P.C.:-

1. By this Application, Applicant impugns the order dated 21.02.2025 passed by Judicial Magistrate First Class, Aurangabad below Exhibit 1 in Criminal Misc. Application No. 2657/2023 as well as order dated 13.01.2026 passed by learned Additional Sessions Judge, Aurangabad in Criminal Revision Application No. 96/2025.

2. The Respondent No. 1 filed Misc. Criminal Application No. 2657/2023 before Judicial Magistrate First Class, Aurangabad. Her statement came to be recorded under Section 200 of the Code of Criminal Procedure wherein she has stated that she is working as Assistant Professor in DSR College of Education, Aurangabad. Since 2013 to 2024 she was working as Principal and she has been removed from the said post. Accused No. 1 is the Chairman of the DSR College of Education and Welfare Society and Accused No. 2 is In-charge Principal.

3. She alleges that she came across inspection report of the University, which was suggesting that she was unwell during the period from 2021-2022 and, therefore, she was on medical leave. Report also refers that the medical certificate was not presented for the same period. She made enquiry with the University. They asked her to obtain information under the Right to Information Act. She came to know that on 27.09.2021 the Chairman of the Society forwarded a letter to the University stating that since the Respondent was consistently till, she has been granted medical leave and on her place, Accused No. 2 is appointed as In-charge Principal.

4. She further states that she received an order granting approval in favour of 17 employees by the University. The appointments of those 17 employees were sanctioned by Accused No. 2. She was shown to be present at the time of interview, however, her signature was fabricated. She has verified the same through handwriting expert who opined that her signature on the document is false. In light of statement, Magistrate issued process against the Applicants for offences punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code.

5. Applicants challenged order of issuance of process by filing Criminal Revision Application No. 96/2025 before Sessions

Judge at Aurangabad who confirmed the order while dismissing the Revision Application vide order dated 13.01.2026.

6. Learned Advocate appearing for the Applicants submit that the complaint is based on false allegations. It is only because the Applicants took action against respondent no.1 and removed her from the post of Principal, she has filed false complaint. Learned Magistrate without looking for supporting material, passed impugned order of issuance of process although the offences as alleged cannot be spelt out on the basis of allegations made in the complaint.

7. Having considered the submissions advanced and on perusal of the record tendered before this Court, it is evident that the complainant has made two allegations, firstly, as regards to making false report regarding her illness to the University and thereby getting approval to the one year medical leave and secondly, making false signature on the report regarding appointment of the employees. She specifically alleges that Accused No. 2 has made signature at her place. Learned Magistrate recorded the statement of Respondent No. 1 under Section 200 of the Code of Criminal Procedure and then passed order of issuance of process. Learned Sessions Court also observed that there are stipulations in the complaint regarding using her forged signatures by accused persons in official correspondence with the University.

8. In that view of the matter, this Court finds that there are sufficient averments in the complaint and statement recorded before the Court to constitute offences under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code for which process has been issued. This Court do not find any reason to cause interference in the impugned orders. Hence, Criminal Application stands rejected.

(S. G. CHAPALGAONKAR)
JUDGE

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