



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

CRIMINAL APPLICATION (APL) NO. 422 OF 2024

Badrinath Ramesh Neel,
Age : 29 Years, Occupation : Service,
R/o. At Post Dahigaon Ne, Tah. Shegaon,
Dist. Ahmadnagar.

... **APPLICANT**

...VERSUS...

State of Maharashtra,
Through PSO Ramnagar,
Tq. & Dist. Chandrapur.

...**NON-APPLICANTS**

Mrs. Pushpa Ganediwala, Advocate with Mr. V. V. Sharma, Advocate for Applicant.
Mr. N. S. Autkar, A.P.P for Non-applicant/State.

CORAM: MRS. VRUSHALI V. JOSHI, J.

DATED : 22.04.2026.

ORAL JUDGMENT: -

1. Heard.
2. **ADMIT.** The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.
3. The applicant has filed this application to quash and set aside the Charge-sheet and the First Information Report bearing No.791/2023 registered for the offences punishable under Sections 420, 465, 468, 471, 201 read with Section 34 of the Indian Penal Code.
4. It is the case of the prosecution that, the applicant helped the co-accused to produce forged document at the time of his appointment as

a Police Constable.

5. The complainant Pramod Dnyandev Shinde, P.S.I., Gadchandur has lodged the report on 10.07.2023 alleging that, in 2021 the recruitment process of Police Constable and Police Driver was started in Maharashtra and selection process for Chandrapur District Staff was started. One Dnyandev Janardhan Neel was selected from O.B.C. category and project affected person and was called on 09.05.2023 along with original documents for verification. However, the aforesaid candidate sought time by saying that his original caste certificate is at home and so he was given next date and called on 15.05.2023. Again on 15.05.2023, he sought time saying that, his original documents were lost while travelling in a train on 19.05.2023, so again time was extended. The aforesaid candidate has submitted his Caste Certificate and Non-Creamy Layer Certificate issued by S.D.O., Pathardi and Police Head Quarter, Chandrapur. During verification of the documents submitted by the selected candidate, it reveals that, the Caste and Non-Creamy Layer Certificates submitted by the said candidate were issued from the Office of the S.D.O. Pathardi Sub-Division, were found to be forged, fabricated and were issued to one Thorat Vaibhav Himmatrao from Grahak Seva Kendra/Setu. The report was lodged.

6. The learned Counsel for the applicant has stated that, the role attributed to this applicant is that, the accused No.3 has forwarded the

said forged certificate through WhatsApp of this applicant and he forwarded it to the accused No.1. The only role attributed to this applicant is that the applicant has forwarded said forged document. The applicant is attached to the Tahsil Office and he is not attached to the Setu Seva Kendra. It is further submitted that the applicant has not committed any offence. No offence is made out against this applicant. Hence, prayed to set aside the First Information Report against this applicant.

7. The learned A.P.P. opposed the application stating that, the role attributed to this applicant is of forwarding the said forged documents through his mobile phone. His mobile is seized and it is found that, he forwarded the said forged documents to accused No.1 and which is used. The offence is registered along with Section 34 of the IPC, indicating common intention. Therefore, it requires the trial. Hence, prayed to reject the application.

8. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

9. Considering the role attributed to the present applicant, who is neither an employee nor attached to the Setu Seva Kendra, and that accused No. 3 had forwarded the said documents on his mobile which is not disputed and, he further forwarded the said documents to accused No.1. In view of the limited role attributed to the applicant, no offence is

made out against the applicant. This is a fit case for quashing and setting aside the First Information Report registered against him. Hence, the following order :

i] The First Information Report bearing No.791/2023 for the offences punishable under Sections 420, 465, 468, 471, 201 read with Section 34 of the Indian Penal Code and the Charge-sheet (R.C.C.No.759/2023) registered against this applicant only are hereby quashed and set aside subject to depositing costs of Rs.10,000/- with the Public Welfare Account maintained with Union Bank of India, High Court Branch, Civil Lines, Nagpur bearing Account No.129712010001014 and IFSC Code UBIN0812978 within a period of three weeks and producing the receipt thereof on record within two weeks thereafter.

ii] The application is allowed in the above terms and disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)