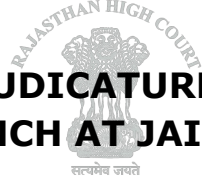




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous 4th Bail Application No. 13788/2025

Jogendra Singh @ Jogendra Dalal S/o Shri Omprakash, Aged About 55 Years, R/o Chidi, District Rohtak, Haryana At Present 113-B/29, Ram Gopal Colony, Police Station Urban State, District Rohtak, Haryana. (Presently Accused Petitioner Is Confined In Central Jail, Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Swadeep Singh Hora assisted by
Mr. Vedant Sharma,
Mr. Himanshu Agarwal,
Mr. Shivam Sharma

For Respondent(s) : Mr. Rajesh Choudhary, GA-cum-AAG
with Mr. Vivek Sharma, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

10/04/2026

1. The petitioner has filed this fourth bail application under Section 483 of BNSS in FIR No.12/2024 registered at Police Station Special Police Station (SOG), Jaipur for offences under Sections 419, 420, 467, 468, 471 and 120-B of IPC and Sections 3, 7, 10 of Rajasthan Public Examination (Prevention of Unfair Means) Act, 2022 and Section 66(d) of IT Act, 2008.
2. Heard learned counsel for the petitioner as well as learned Government Advocate-cum-Additional Advocate General and perused the material available on record.
3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits



that the allegations against the present petitioner is that he issued fake degrees in his capacity as the Chairperson of OPJS University, which is a purely private institution and there is no material available on record to demonstrate that the petitioner either signed, authorized or instructed the issuance of any forged or fabricated degree or document. It is further averred that the petitioner had resigned from the management of the University in the year 2015 and since then he had no administrative control or involvement in the affairs of the University. Counsel also contends that even assuming for the sake of argument that the petitioner had forged or prepared any document but mere issuance or delivery of any document would not fall within the ambit of the definition of "forgery" as contemplated under the law. It is further submitted that mere backdating or mentioning an earlier date on a document does not, by itself, constitute forgery, unless it results in the creation of a "false document". Additionally, it is contended that in the present matter, the charge-sheet has been filed directly before the Special Court. As per Section 193 of the CrPC (corresponding Section 213 of BNSS), the said Court does not have the competence to take cognizance unless the case is committed by the Magistrate. Therefore, in absence of such committal, the continuation of the proceedings before trial court is illegal and unsustainable in the eyes of law. It is further submitted that in a similar matter involving more serious allegations, an FIR bearing No. 13/2024 registered at Police Station SOG, Jaipur, the Co-ordinate Bench of this Court vide order dated 06.02.2026 granted bail to the petitioner. Petitioner





is behind the bars since 05.07.2024, the trial has commenced which will take considerable time, therefore, no fruitful purpose would be served by keeping the petitioner in further custody. Hence, bail application of the petitioner deserves to be allowed.

4. Learned counsel for the petitioner placed reliance upon following judgments in support of his arguments:-

- i) Moly and Anr. Vs. State of Kerala reported in (2004) 4 SCC 584;
- ii) Dr. S. Sourubarani & Anr. Vs. C. Selvi reported in 2004 SCC Online Mad 1082;
- iii) Gangula Ashok and Anr. Vs. State of A.P. reported in (2000) 2 SCC 504;
- iv) In Re: Referring Officer, Addl. District and Sessions Judge & Ors. reported in MANU/AP/1032/2000;
- (v) State of Bihar Vs. Rambalak Singh & ors., 1966 SCC OnLine SC 94;
- (vi) Union of India Vs. Thamisharasi & ors., (1995) 4 SCC 190;
- (vii) State of Tamil Nadu Vs. Paramasiva Pandian, (2002) 1 SCC 15;
- (viii) State of Tamil Nadu Vs. Paramasiva Pandian, 2000 SCC OnLine Mad 672.

5. Learned Government Advocate-cum-Additional Advocate General opposed the bail application and submitted that three earlier bail applications of the petitioner have already been rejected on merits, and there is no substantial change in circumstances warranting grant of bail at this stage. It is further contended that the petitioner is the founder as well





as the Chairperson of OPJS University which is owned and controlled by him and therefore he cannot evade responsibility for the acts carried out under the aegis of the said institution. It is contended that the petitioner was actively involved in procuring and issuing fake degrees and mark sheets. It is further alleged that co-accused Ganpat Lal used such a degree for the purpose of selection in the Physical Teacher Recruitment, 2022 and consequently secured public employment on the basis of the said forged documents. It is also averred that the charge-sheet placed on record reveals that in addition to preparing the forged degree and mark sheet, the petitioner was involved in the preparation of fake verification reports also, indicating that a verification report was issued certifying the degree of co-accused Ganpat Lal as genuine, which was subsequently forwarded to the Education Department. Thus, it is evident that the present petitioner in connivance with other staff members conspired to issue fake degrees and manipulated verification reports also. The conduct of the petitioner further indicates that the University, owned and controlled by him, was being systematically used as a vehicle to facilitate the issuance of forged degrees, thereby adversely affecting public employment by enabling ineligible candidates to secure government jobs on the basis of such fabricated documents. It is further contended that the grant of bail by a Co-ordinate Bench of this Court in a different FIR is not a binding precedent for allowing the present bail application as each case has to be decided on its own facts and circumstances.





Learned counsel further submits that mere procedural flaws or irregularities in committal proceedings cannot be a ground for granting bail, particularly when substantive allegations are made out against the petitioner. Therefore, the petitioner is not entitled for releasing on bail. Hence, the bail application may be rejected.

6. In support of his contentions, learned Government Advocate-cum-Additional Advocate General placed reliance upon the following judgments:-

i) The State of Rajasthan Vs. Indraj Singh Etc., 2025 INSC 341;

(ii) Ratti Ram Vs. State of M.P., 2012 (2) JLJ 128

7. Upon consideration of the rival submissions, the material available on record and the nature of the allegations as well as the contentions advanced by the learned Public Prosecutor, it prima facie appears that:-

- the petitioner is the mastermind, founder and Chairperson of the University owned and controlled by him which is allegedly involved in issuing forged degrees and educational documents to the public;
- the beneficiary Ganpat Lal was not found in university records;
- a false verification report was prepared; signature of the Registrar was forged;

which shows active involvement of the petitioner in the alleged offence.

8. In so far as the contention regarding absence of committal is concerned, the same is a procedural issue and does not





constitute a ground for bail.

9. The plea of parity is also not tenable as the present case arises out of a separate FIR with distinct facts.

10. In the above backdrop, the ratio of cited judgments produced by learned counsel for the petitioner are not applicable to the present case.

11. The earlier three bail applications of the petitioner have been dismissed on merits, hence considering the gravity of offence and in absence of any fresh ground, this Court is of the view that at this stage, no case for grant of bail is made out. Accordingly, without expressing any opinion on the merits or demerits of the case, this Court is not inclined to grant benefit of bail to the petitioner.

12. Consequently, the fourth bail application of the petitioner is hereby rejected.

(PRAMIL KUMAR MATHUR),J

Chandan/3

