



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**Criminal Appeal No. 3467 of 2026
(@ Special Leave Petition (Crl.) No.2668 of 2025)**

B.S. Solanki

.... Appellant

Versus

The State of Madhya Pradesh

.... Respondent

ORDER

Leave granted.

2. The appellant who was working as Assistant Registrar, Firms & Societies at Jabalpur is a victim of factional fight in the Church of North India, Jabalpur Diocese. On the allegation of offences punishable under Sections 406, 420, 468, 471, 120-B, 109, 409 & 467 of the Indian Penal Code, 1860 (IPC) and Sections 7, 13(1)(b) and 13(2) of the Prevention of Corruption Act, 1988 (the PC Act) a complaint was filed in the Police Station, Economic Offences Wing, Bhopal Dehat, Bhopal. A chargesheet bearing No.01A/2023 dated 20.07.2023 was also filed before the learned Special Judge, (P.C. Act), Jabalpur in respect of Crime No.80 of 2022.

3. The appellant was arrayed as an accused with one P.C. Singh, the then Bishop of Jabalpur Diocese along with some others whose names are not clear from the chargesheet produced as Annexure P19. We are only concerned with the appellant in the present appeal filed against the impugned order of the High Court of Madhya Pradesh which refused to quash the chargesheet under Section 482 of the Code of Criminal Procedure, 1973 (Cr. PC). Essentially the allegation was of misappropriation of funds and illegal transactions in land owned by the Trust, registered as a Society, in which the appellant was roped in on the singular act of issuing a Certificate of Registration with the name of the Society changed.

4. Bereft of facts, the allegation against the appellant was of forging the certificate issued by the Assistant Registrar regarding the change of name of the Nagpur Diocesan Board of Education, Jabalpur to Board of Education Church of North India, Jabalpur Diocese. The certificate is produced as Annexure P10. The allegation was also that the certificate is dated 11.07.1959 which is a clear forgery.

5. The learned Counsel for the appellant contended that the date shown in the certificate is of the original registration of the Society under the Madhya Pradesh/ Chattisgarh Society

Registrikaran Adhiniyam, 1973 (the Act of 1973) and Niyam 1988. There can be no question raised of forgery since it was issued in terms of the provisions of the Act, specifically Section 10, on a proposal made by the Society.

6. The learned State Counsel, however, points out that huge misappropriation is alleged, diversion of funds and also sale of immovable properties belonging to the Trust.

7. We notice that the Executive Council of the Nagpur Diocesan Board of Education, Jabalpur by Annexure P2 recommended the change of name to the General Council as per Annexure P2. Annexure P3 is the resolution at the extraordinary meeting of the General Council held on 07.12.2002. An application made for change of name, to the appellant herein was, responded to by the appellant, pointing out certain defects as seen from Annexure P5, which was also responded to by Annexure P6, submitting a fresh application curing the defects noticed. It was on such procedure being followed that a registration certificate was issued on 19.02.2003, the date which is clearly noticed in Annexure P10 certificate.

8. Section 10 of the Act of 1973 by sub-section (2) requires a proposal for amendment to be forwarded to the Registrar in such form, together with such fee, as may be prescribed and on the

Registrar's satisfaction with the amendment; that it is not contrary to the Act or the Rules, he is obliged to register the amendment, which alone makes it valid as provided under sub-section (1). By sub-section (3), he is also obliged to issue a certificate on payment of the required fee.

9. That the applications were submitted in the prescribed form is not in dispute. That the certificate was issued on 19.02.2003 is also not in dispute. Further, it is not in dispute, as seen from Annexure P10 produced along with the appeal, that the date shown of 11.07.1959 is the original registration date of the Nagpur Diocesan Board of Education, Jabalpur. Hence, when the change of name is recorded in 2003, the registration as it stood in the changed name continued leading to the certificate issued with the date 11.07.1959. The Society registered in 1959 continued in the name of Nagpur Diocesan Board of Education till the amendment to the name, after which it continued in the name of Board of Education, Church of North India, Jabalpur. The amendment recommended by the Executive Council and passed by the Members in the General Council only changes the name and the registration obtained remains to be that of 1959. The Act of 1973 though subsequent to the registration, provided by Section 3A that the Societies registered under the Madhya

Pradesh Societies Registration Act, 1959 ,which was repealed by Section 44, shall be deemed to have been registered under the new enactment.

10. It was alleged that the appellant had colluded with the first accused, one P.C. Singh, the then Bishop of Jabalpur Diocese. It is seen from the minutes of the meeting of the Executive Council and the General Council that the said person was not even a member of the Executive Council or in the General Council and had not affixed its signature on the minutes of either of these Councils. The first accused is said to have taken charge long after the change in name.

11. On the conspectus of the circumstances explained, we reiterate that the factional dispute in the organization led to the registration of the crime against the accused which by no stretch of imagination can be sustained. A mere look at the allegations levelled and the records produced herein would clearly indicate that the appellant was not culpable at all, and it cannot be said that the misappropriation was on account of the change of name.

12. We specifically asked the learned counsel appearing for the respondent as to whether any civil dispute was raised which is answered in the negative. We find absolutely no reason to sustain the order of the High Court and we reverse it. We further

quash the chargesheet bearing No.01A/2023 dated 20.07.2023 filed before the learned Special Judge, (P.C. Act), Jabalpur as against the appellant, who is one of the accused in Crime No.80 of 2022. It is directed that Crime No.80 of 2022 shall not be proceeded as against the appellant and any bail bonds furnished shall stand cancelled.

13. The appeal is allowed.

14. Pending applications, if any, shall also stand disposed of.

..... J.
(J. B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

**NEW DELHI;
JULY 24, 2026.**