

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.23136 of 2015

Date of Decision:-17.12.2015

Dr. Priya Ranjan Trivedi &Ors.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. APS Deol, Senior Advocate assisted by
Mr. H.S. Maavi, Advocate for the Petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Manjit Singh.

JASWANT SINGH, J.(ORAL)

Dr. Priya Ranjan Trivedi (petitioner no.1) is the former Chancellor of the The Global Open University, Nagaland (for short "TGOUN"), whereas Jaya Iyer (petitioner no.2) is the former Finance Officer, Bandana Singh (petitioner no.3) is the former Tabulator for Conduct of Examination and Mohd. Azhar (petitioner no.4) is the former National Councillor/OSD of the University-TGOUN looking after the admission since 2006. All of them claim themselves to be no longer in the employment of the University-TGOUN.

It is averred that Lotus Education Centre, Patiala was one of the counselling Centres of the university during their employment. The proprietors of the Centre at Patiala are alleged to have duped the students of

Punjab by issuing them forged detailed marksheets allegedly issued by TGOUN for graduate/post graduate courses. The university is stated to have initiated criminal proceedings against the Lotus Education Centre, Patiala at Dimapur, Nagaland and FIR lodged in that regard is annexed as **P-8**.

One of such duped students Sikandar Singh lodged FIR No.281 dated 20.09.2013 for offences punishable under Sections 406, 420, 467, 468, 471 and 120-B of IPC with Police Station Kotwali, Patiala (**P-5**) wherein the petitioners were also arrayed as accused being alleged employees of the university. The petitioners were granted regular bail and challan stands filed against them along with owners of Lotus Education Centre, Patiala and is pending for consideration on framing of charge. The said FIR and proceedings are stated to have been challenged by way of filing a separate petition under Section 482 Cr.PC before this Court.

While appearing at Patiala in proceedings in FIR No.281 dated 20.09.2013 they were arrested in FIR No.83 subsequently lodged on 20.11.2014 at Police Station Joga, District Mansa by another similar duped student with identical allegations. The petitioners have since been released on regular bail in the said case as well. It is submitted that challan in the case at Mansa is yet to be presented.

The grievance of the petitioners is that they apprehend arrest in any other FIR which may be lodged with identical allegations while appearing in the already pending cases. Prayer thus is for issuing a direction to the State of Punjab to issue a prior notice in writing before they are sought to be arrested in any other FIR to be lodged with identical allegations.

Upon notice reply dated 15.12.2015 on behalf of State of Punjab has been filed through Assistant Inspector General of Police, Investigation (Litigation), Bureau of Investigation, Punjab in Court. In reply it is conceded that there are only two FIRs which have been registered against the present petitioners upon verification from all the police stations and also there is no other complaint pending.

The petitioners apprehend that such like complaints may be made by various other such victims on the similar allegations. Once the nature of offence is same and the petitioners who are residents of New Delhi may be arrested time and again for every such separate FIR (if any) registered by Police, it is appropriate that the office of Assistant Inspector General of Police, Investigation (Litigation), Bureau of Investigation, Punjab shall circulate and communicate the aforesaid FIRs nos.281 dated 20.09.2013 and 83 dated 20.11.2014 to all police stations in the State so as to apprise them regarding the nature of offence and process of prosecution already pending against the petitioners. In case any other or similar such complaint is received, which reflects commission of similar offence by these petitioners, in that event a prior notice giving 10 days time to the petitioners be issued to enable them to seek their remedy in accordance with law.

This relief is confined to the petitioners alone and is being extended keeping in view the peculiar circumstances and nature of offence. This order shall not be taken as a precedent.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

December 17, 2015
Vinay