

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-26314 of 2015

Date of Decision: September 18, 2015

Sikander Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Madan Sandhu, Advocate
for the petitioner.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr.Harinder Pal Singh Ishar, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.41 dated 21.07.2015
under Sections 420, 465, 468, 471 and 120-B IPC, registered at
Police Station Joga Mansa, District Mansa.

Notice of motion was issued and learned State counsel as
well as learned counsel for complainant appeared and contested the
petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

From the record, I find that in the present case the FIR has

been got registered by Balvir Kaur. As per the allegations, ₹15,000/- was paid to the Study Centre of Global Open University, Nagaland. She appeared for examination and then ₹15,000/- was paid in the second year and again she appeared for the examinations and mark-sheet was issued to her. It is in the FIR that total marks obtained were shown as 133 whereas the total marks obtained were 394 and the Parents' name of the complainant have not been mentioned.

As argued, this LLM mark-sheet has been given in the year 2008 and the certificate has also been given in that year. The FIR has been got registered in the year 2015. Secondly, it is admitted that till now there is nothing on the record or has come during the investigation that the certificate is fake one. The mere fact that whether Global Open University, Nagaland can/cannot open the Centre outside the area of Nagaland or the course has not been authorized by the UGC, are the points to be seen at the time of merits.

The petitioner has already joined the investigation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the merits of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 10.08.2015 granting interim bail to the petitioner is made absolute.

September 18, 2015
Vgulati

(INDERJIT SINGH)
JUDGE