

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

203

CRM-21771-2016 IN/AND
CRM-M-14749-2016.

Pankaj Bhalla.

.. Petitioner(s)

VERSUS

State of Haryana and another

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.M.S.Khillan, Advocate,
for the petitioner.

Mr.Vikas Malik, DAG., Haryana.

Mr.Sachin Bhardwaj, Advocate,
for respondent No.2 along with respondent No.2
S.Jasbir Singh Gulati in person.

M.M.S. BEDI, J. (ORAL)

CRM-21771-2016

Misc. application is allowed.

Documents produced by the private respondent

Annexures R1 to R7 are permitted to be taken on record.

CRM-M-14749-2016

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of respondent No.2, Director, Guru Harkrishan Public School, Karnal, alleging that petitioner who had been Principal of Guru Harkrishan Public School, Karnal, had connived with Dharminder Singh and incorporated some entries in the Admission and Withdrawal Register and prepared a fake certificate in the name of Pooja who used the same for fulfilling the eligibility condition for contesting the election for the post of Sarpanch and has been elected as Sarpanch.

Counsel for the private respondent submits that considering the documents made part of the record, the application for pre-arrest bail of the petitioner has been dismissed by the trial Court.

The petition has been contested by the complainant himself by appearing in the Court contending that on account of conduct of petitioner there is threat of disaffiliation to the School from the CBSE. The said contention is not material for adjudication of the present petition under Section 438 Cr.P.C.

It appears that there is a dispute amongst the Principal and management of the School. The document which is alleged to have been issued by the petitioner has been produced during the course of investigation. It will be debatable during the course of investigation whether the involvement of the petitioner has ultimately resulted in any wrongful loss to the complainant or the School. The petitioner has already joined investigation. It does not appear to be a case of custodial interrogation as all the documents have already been handed over to the investigating agency.

The petition is allowed. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

(M.M.S. BEDI)
JUDGE

July 21, 2016.
rka