

209.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-16034-2016 (O&M)

Date of decision: 15.09.2016

Arohit Bansal

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Jigyasa Tanwar, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

CRM-22445-2016

Prayer in this application filed under Section 482 Cr.P.C. is to place on record documents Annexures P-4 to P-13.

For the reasons stated in the application, the same is allowed and documents Annexures P-4 to P-13 are taken on record subject to all just exceptions.

CRM-M-16034-2016

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.16 dated 12.03.2016 under Sections 420, 465, 467, 468, 471 IPC, registered at Police Station Moti Nagar, District Ludhiana (Annexure P-1).

In the aforesaid FIR, the allegation against the petitioner is that he has opened one Board under the name of Board of Senior Secondary Education, Delhi at B.S. Complex in front of Veer Place, Chandigarh Road,

Ludhiana and is preparing forged certificates. He has also opened a website- www.bssedelhi.com and the certificates are being issued after taking huge money under the pretext that the degree issued by the said Board is genuine.

Learned counsel for the petitioner submits that the petitioner has formed a Trust under the name “Board of Senior Secondary Education, Delhi” and he has been running the said Trust for the purpose of imparting education. She further states that the offence as alleged in the FIR is somewhat pending consideration before this Court in various petitions including CWP No.1439 of 2014-Board of Senior Secondary Education, Delhi Versus Union of India and others. The said writ petition is pending and has been adjourned sine die to await decision of a case pending before the Apex Court. She refers to the order dated 02.11.2015 passed by this Court in CWP No.8353 of 2013 and other connected petitions wherein the writ petition filed by the Council of Secondary Education has been adjourned sine die to await the decision of Hon'ble Apex Court. Learned counsel for the petitioner states that the petitioner is in custody since 12.03.2016 and the offence is triable by the Magistrate. The trial will take a sufficiently long time as the charge has been framed on 14.07.2016 and the prosecution evidence is yet to start.

Learned State counsel on instructions from ASI Hardeep Singh states that the allegation against the petitioner is serious and as many as 13 fake rubber stamps were recovered along with other fake certificates and, therefore, in case, the petitioner is admitted on regular bail, there is ample possibility that he will misuse the concession of bail and will revert back to the process of issuing fake certificates.

Heard learned counsel for the parties.

The petitioner is in custody since 12.03.2016 and trial in the case will take a sufficiently long time. Coupled with the fact that the offence is triable by Magistrate, I deem it appropriate to admit the petitioner-Arohit Bansal on regular bail, however, subject to furnishing of bail bonds and surety bonds to the satisfaction of trial Court.

Accordingly, present petition stands allowed.

It is made clear that the petitioner shall not carry any activity i.e. issuing fake certificates under the name and style of Board of Senior Secondary Education, Delhi or any other institution without seeking prior permission from a competent authority and shall also not hamper the proceedings or the evidence in any manner directly or indirectly.

(HARI PAL VERMA)
JUDGE

15.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.