

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

(227)

CRM-M-34992-2016

Decided on: October 19, 2016.

Harish Kumar

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-35310-2016

Decided on: October 19, 2016.

Simranpreet Kaur

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Jasraj Singh, Advocate,
for the petitioner in CRM-M-34992-2016.

Mr. Karanvir Singh Khehar, Advocate,
for the petitioner in CRM-M-35310-2016.

Mr. Jashan Preet Singh, AAG, Punjab.

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

This order will dispose of two applications for grant of regular bail, one (CRM-M-34992-2016) filed by Harish Kumar and the other (CRM-M-35310-2016) filed by Simranpreet Kaur in FIR No.13 dated 23.08.2016, under Sections 409, 420, 120-B IPC and Section 13 (1) (d) read

with Section 13 (2) of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Jalandhar.

Petitioner Harish Kumar is working as Clerk in the office of District Education Officer, (Secondary) Pathankot. He allegedly connived with petitioner Simranpreet Kaur and prepared forged and fabricated order dated 25.06.2012 and fabricated dispatch No.7696-98 dated 13.12.2012 vide which the fabricated order of Secretary (School Education) Govt. of Punjab was forwarded to the Principal, Govt. Senior Secondary School, Bhanguri, District Panthankot which facilitated Simranpreet Kaur to join the service as Punjabi Lecturer. All the documents i.e. appointment letter and other documents were forged. The allegation against the petitioner Harish Kumar is that he recorded wrong dispatch number resulting in presentation of the forged documents.

The petitioners have been in custody w.e.f. 23.08.2016.

It has been informed that both the petitioners are under suspension and departmental proceedings regarding their misconduct have been initiated.

No doubt, the allegations against the petitioners, on the face of it, are serious but at the same time it is observed that keeping them in custody during the entire period of trial will not serve any purpose as the culpability of the petitioners is to be determined on the basis of the documents which have already been taken into possession by the investigating agency.

Both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the

satisfaction of the trial Court subject to the conditions that they will not be permitted access to the records of the department to ensure that there is no tampering with the evidence or interference in the investigation.

(M.M.S. BEDI)
JUDGE

October 19, 2016
harsha

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No