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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

DECIDED ON : SEPTEMBER 29, 2016

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BAIL APPLN. 1034/2016

ANUJ BHUSHAN

..... Petitioner

Through : Mr.Anwesh Madhukar, Advocate.

versus

THE STATE NCT OF DELHI

..... Respondent

Through : Ms.Meenakshi Dahiya, APP.
Mr.Vishwa Bhushan Arya, Advocate
with Ms.Vandana Gupta, Advocate,
for the complainant.
Insp.R.K.Meena, PS Rajinder Nagar.

**CORAM:
HON'BLE MR. JUSTICE S.P.GARG**

S.P.GARG, J. (ORAL)

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.160/2016 under Sections 420/468/471 IPC registered at Police Station Rajender Nagar. Status report is on record. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the record.
2. Allegations against the petitioner are that he forged and fabricated a degree of B.Com (Pass) of Delhi University and on its basis

pursued higher education from Symbiosis Institute, Pune, Maharashtra; he also succeeded in getting employment in various prestigious private firms.

3. Learned counsel for the petitioner urged that the original 'degree' has since been misplaced by the petitioner. Self-attested photocopy of the original degree has been given to the Investigating Agency. He further urged that original Transcript of Marks dated 5.3.2015 from University of Delhi has also been made available by him to the Investigating Agency. The present FIR has been lodged on the complainant of Vandana Gupta with whom he has property dispute. She has no locus standi to lodge any such complaint to settle private score. The petitioner has since joined the investigation and his custodial interrogation is not required. Learned APP, assisted by the complainant's counsel, urged that the petitioner has not deliberately produced the original 'degree'. As per the information received from the concerned authorities under Right to Information Act, the 'degree' in question was never issued and has been forged and fabricated.

4. The petitioner has not furnished original 'degree' so far. Only self-attested photocopy of the 'degree' has been given to the investigating agency. The explanation offered by the petitioner for not providing the original 'degree', prima facie, does not appeal to mind. The petitioner never lodged any complaint with the police regarding loss of the said original degree at the time of shifting of the residence. He did not make sincere efforts to get its duplicate copy any time. It is not explained as to when and from where, photocopy which has been self-attested was prepared from the original one. It has come on record that the petitioner had got the PG diploma from Symbiosis Centre for Distance Learning. He was directed by the said institute to furnish the original 'degree'. The petitioner did not

furnish the required documents sought by the said institute. The Post Graduate Diploma and Marks Sheet issued to him on completion of PGDBA programme was annulled and canceled on the ground of forgery as reflected in the letter dated SCDL/RTI/2016/1417 dated 18.01.2016 given to the present petitioner. The petitioner did not challenge the said annulment.

5. Status report reveals that after receipt of the complaint, in the correspondence made with the Delhi University, it was informed that the petitioner was enrolled as student but he did not appear in the examination.

6. 'Transcript of marks' was also sent to the Delhi University for verification and in the report, it has been clearly mentioned that "Anuj Bhushan against Roll No.124933 does not exist in the year 1999 as mentioned in the transcript Ref.No.TRCs/2014/4413-A dated 5.3.2015".

7. Considering the gravity of the offence and serious allegations against the petitioner regarding forging degree and Transcript of Marks, I find no sufficient ground to grant anticipatory bail.

8. The bail application is dismissed.

(S.P.GARG)
JUDGE

SEPTEMBER 29, 2016

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