

**Sr. No.205
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-44174 of 2016 (O&M)
Date of Decision: 03.02.2017**

Paramjeet Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CRM No. M-45014 of 2016 (O&M)

Baldev Raj Gulia

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Ruchi Sekhri, Advocate,
for the petitioner(s).

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM No.M-44174 of 2016 (Paramjeet Kaur Vs. State of Haryana) and CRM No.M-45014 of 2016 (Baldev Raj Gulia Vs. State of Haryana) as both these petitions have been preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner(s) herein in case FIR No.24 dated 29.04.2016, under Sections 420/467/468/471/120-B IPC and Sections 8, 13 (1) (d) of P.C.Act, registered at Police Station SVB, Hisar, District Hisar

While issuing notice of motion, the following order was passed by this Court on 12.12.2016 in CRM No. M-44174 of 2016:

“Petitioner retired as a Block Education Officer.

She had allegedly countersigned the certificates which were

issued by the authorities of PDM Senior Secondary School, Durjanpur, on the basis of which the benefit of service was given to the candidates.

Counsel for the petitioner submits that merely countersigning certificates in ordinary course of business will not impose vicarious liability on the petitioner.

Notice to the Advocate General, Haryana, for 3.2.2017.

Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 24.12.2016. In case of petitioner doing so, she will be released on interim bail to the satisfaction of the arresting officer.”

Likewise notice of motion order dated 16.12.2016 in CRM No. M-45014 of 2016 reads in the following terms:

“Petitioner is a retired District Education Officer, who had allegedly countersigned forged experience certificates of the prospective incumbents for the posts of teacher in Government Department.

A petition filed by similarly circumstanced co-accused of the petitioner is stated to be pending for 3.2.2017.

Notice to the Advocate General, Haryana, for 3.2.2017.

Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 24.12.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned State counsel upon instructions from SI Ram Phal apprises the Court that petitioners have since joined investigation. He fairly states that the petitioners against the backdrop of the allegations and having joined investigation would not be required for custodial interrogation.

In view of the above, both petitions are allowed. Order dated 12.12.2016 passed in CRM No. M-44174 of 2016 and order dated 16.12.2016 passed in CRM No. M-45014 of 2016, are made absolute.

Disposed of.

03.02.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No