

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34843 of 2018
Date of Decision: 20.08.2018

Rajdeep Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. J.S. Dadwal, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.214 dated 21.12.2015 registered for offences punishable under Sections 420/465/467/468/471/120-B of Indian Penal Code (for short, "IPC") at Police Station Division no. 4, Ludhiana.

Heard.

Learned State counsel submits that allegation against the petitioner is that she got prepared a fake school leaving certificate alleged to have been issued by Guru Arjan Dev Middle School, Preet Nagar, Ludhiana, which was found non-existent. In that certificate name of biological father of her son was changed from Bhupinder Singh to Akhtiar Singh Hans, who is father of complainant. The petitioner moved application before school, where her son was studying, to change his father's name.

After registration of instant FIR, she had earlier been pursuing her

application seeking anticipatory bail and after dismissal of same she was declared proclaimed offender. Now she has been arrested on 05.07.2018 and challan against her is yet to be presented.

The dispute pertains to alleged fake document prepared by petitioner to change biological father's name of her son. The case is based on documentary evidence. Petitioner is in custody since 05.07.2018.

Keeping in view above facts and that petitioner is not in a position to change any document, which are already with police, the present petition is allowed. Petitioner-Rajdeep Kaur is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

August 20, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No