

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-45076 of 2017

Date of decision : 22.05.2018

Hemant Khurana

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vinod S. Bhardwaj, Advocate for the petitioner.

Mr. Chetan Sharma, AAG Haryana.

RAJAN GUPTA J.

Petitioner has sought pre-arrest bail in a case registered against him under sections 420, 406 IPC vide FIR No. 281 dated 26.09.2016 at police station city Rewari, Haryana. FIR was registered on the complaint of Rao Yadavendra Singh, Chairman Ahir College, Rewari. It was alleged that fake Phd degrees were being issued in the name of the University. On the registration of FIR, investigation ensued. A disclosure statement was suffered by accused Gajender. He revealed that money obtained by him from various students had been handed-over to Hemant Khurana (petitioner herein) who forged degrees of Ph.D of CMJ University and delivered the same to the aspirants. Recovery of format of forged degrees and rubber stamp were to be effected from the petitioner. Affidavit of Satyapal, Deputy Superintendent of Police, Rewari was also filed wherein it was stated that petitioner had been instrumental in supplying fake Ph.D degrees by forging the same at his self styled education centre in the name of Gan Nayak Culture Education. In view of protective order granted by this court,

petitioner was not cooperating with the agency. It was found during investigation that identity cards issued in the name of certain candidates for Ph.D in English and Physical Education was not genuine. Likewise Ph.D degrees purported to have been issued to certain other candidates were found to be forged. Investigating agency has also sought custodial interrogation of the petitioner. Para 4 of the affidavit reads as under:-

“4. That further although the petitioner has been granted the interim relief subject to cooperating with the investigations as being done by the local police in the present case, the petitioner is not cooperating with the investigations being conducted by the police. He has not provided the rubber stamps and the format of forged degrees as prepared by him as well as the format of the identity cards to the local police. He has received money from the co-accused Gajender Singh, however, recovery of the same has also not been effected from him on account of non cooperation of the petitioner. Hence, the custodial interrogation of the petitioner is necessary, so as to ensure qualitative investigation.....”

Keeping in view facts and circumstances of the case, petitioner is not entitled to concession of pre-arrest bail. His custodial interrogation may be necessary for taking the investigation to its logical end. Petition is, thus, without any merit and is dismissed.

May 22, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No