

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

CRM-M-5359 of 2017.

Decided on:-September 05, 2018.

Poonam Pawar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Pawan Kumar Hooda, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(ORAL)

Petitioner Poonam Pawar has filed the present petition under Section 438 Cr.P.C. seeking anticipatory bail in the event of her arrest in FIR No.515 dated 19.09.2015 under Sections 419, 420, 467, 468, 471 and 120-B IPC registered at Police Station Civil Lines, Rohtak, District Rohtak.

Pursuant to the order dated August 03, 2015 passed by this Court in *CWP No.3 of 2011* titled as *Parveen Kumari and others Versus State of Haryana and others* and order dated May 13, 2015 in *CWP No.4729 of 2015* titled as *Shilk Ram Versus State of Haryana and others*, whereby the State of Haryana was directed to conduct departmental disciplinary action and to register a case against those persons, whose sample of signatures were found to be incorrect in the report of Forensic Science Laboratory, Madhuban, the petitioner was named as an accused being the alleged beneficiary.

On March 14, 2017, this Court while granting interim bail to the petitioner had passed the following order:

“Learned State counsel does not dispute the fact that similarly situated persons have been admitted to anticipatory bail in similar circumstances but such orders have not been made absolute as yet and most of the petitions are coming up for hearing on 19.04.2017. He however submits that though the signatures of the petitioner and other similarly situated persons have been obtained and all second samples have been sent to Central Forensic Science Laboratory, Chandigarh and in the case of petitioner, sent to the Forensic Science Laboratory, Madhuban, what is required to be determined is as to who were the persons who impersonated the candidates in the examination, including the petitioner.

Though, in the aforesaid circumstances, I see no reason to actually admit the petitioner to bail, it being a large scam that took place, however, in view of the fact that identically placed persons have been admitted to bail, therefore, upon the petitioner joining investigation, she would be released on bail to the satisfaction of the arresting officer/ Illaqa Magistrate, till the next date of hearing before this Court, subject to her complying with all the conditions stipulated in Section 438(2), Cr.P.C.

To come up on 19.04.2017.

To be heard along with CRM-M-40965-2015.”

Learned counsel for the petitioner has submitted that pursuant to the aforesaid order dated 14.03.2017 passed by this Court, the petitioner has joined the investigation and her specimen signatures were taken and sent for comparison to the Central Forensic Science Laboratory, Chandigarh.

Learned State counsel, on instructions from SI Shamsher Singh and on the basis of examination report dated 08.05.2018 issued by Central Forensic Science Laboratory, Chandigarh submits that the signatures of the petitioner matches with her signatures on the attendance sheet/answer sheet. He has drawn the specific attention of this Court to the report dated 08.05.2018 prepared by the concerned scientists, which is reproduced as under:

“Result of Examination

The documents of this case have been carefully and thoroughly examined.

- 1. The enclosed signatures stamped and marked R1268, R1268/1, Q1, Q2, Q1268, Q1268/1, S1 to S3, S1268 and S1268/1 have been written by one and the same person.*

*A. Kumar
Scientist ‘B’*

*Ramesh Chandra
Scientist ‘B’*

*T. Joshi
A.D/Scientist ‘C’.”*

In view of the report so submitted, the present petition is allowed and the interim bail granted to the petitioner vide order dated March 14, 2017 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

September 05, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No