

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

**CRM-M No.23208 of 2016 (O&M)
Date of Decision: 11.02.2019**

Ashima Rani

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate assisted by
Mr. Shranav Katyal, Advocate for the petitioner.

Mr. Manish Bansal, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.315 dated 05.09.2015, under Sections 419, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Sadar Hansi, District Hisar.

Allegation against the petitioner is that she was appointed as a JBT Teacher allegedly on the basis of clearance of STET/HTET Examination by an impersonator, appearing on her behalf.

This Court, on 20.12.2016, passed the following order:-

“ Learned counsel for the petitioner has given an undertaking before this Court that the petitioner-accused in the bail application will appear as, when and wherever required by the Investigating Officer and would assist the Investigating Officer in furnishing his acknowledged and admitted signatures as well as full particulars of previous admitted signatures from any document before any other institution to enable the Investigating Officer to get the comparison done. Learned State

counsel to ensure that they serve written notice upon the petitioner to this effect to enable him to appear before the Investigating Officer in accordance with law. It is made clear that CFSL, Chd. Director will carry on the comparison test so submitted by the Investigating Officer without loss of time.

List on 22.2.2017.

Meanwhile, State shall not take any coercive action against the petitioner.”

It is contended by learned Senior Counsel for the petitioner that in pursuance of the above order, petitioner has already joined the investigation on numerous occasions.

On the order hand, learned State Counsel, on instructions from I.O./Inspector Ramphal, states that investigation is still going on in the matter.

Admittedly, all the documents pertaining to STET are with the Investigating Agency and even the specimen signatures of the petitioner have already been obtained, but no incriminating material has been shown to this Court by learned State Counsel, rather the FSL report is not supporting the prosecution case.

Undisputedly, in the identical matters, having similar set of allegations, this Court has already granted pre-arrest bail to many similarly situated persons.

It is very unfortunate that since 05.09.2015, the matter is pending with the Investigating Agency and till date, report under Section 173 Cr.P.C. has not been submitted and thus, the same is quite distressing.

Admittedly, the petitioner is working in a Government Primary School as a J.B.T. Teacher and as such, there is no chance of her likelihood

to flee from justice or hamper the investigation in any manner particularly being a female.

In view of the aforesaid facts and circumstances, petitioner is granted pre-arrest bail subject to the conditions as envisaged under Section 438 (2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation, if any.

The observations may not be considered as an expression of opinion on the merits of the case.

It is expected that investigation shall be completed at the earliest without any further delay in the matter.

February 11, 2019

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes