

CRM-M-36256-2019

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

CRM-M-36256-2019

Date of Decision: 15.01.2020

Rohini and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Monty Goyal, Advocate,
for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (Oral)

Through this petition, the petitioners seek anticipatory bail in case FIR No.95 dated 13.07.2019, registered at Police Station Amloh, District Fatehgarh Sahib, under Sections 420, 461, 468, 469, 470, 471 and 120-B IPC.

Vide order dated 02.09.2019, a Coordinate Bench of this Court passed the following order:

“Learned counsel for the petitioners submits that as a matter of fact, it is the petitioners who have been duped by having been issued fake certificates at the instance of M/s Macro Global Immigration Education Consultants, Feroze Gandhi Market, Ludhiana.

He further submits that the petitioners had actually applied for immigration to Australia with the said consultants, upon an advertisement issued to that effect;

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and were asked to sit for an examination pursuant to which they would be issued degrees by the Desh Bhagat University, which degrees in fact were found to be forged.

Without making any comment on whether or not the petitioners were aware that they were being issued fake degrees, at this stage let notice of motion be issued to the respondent, returnable on 24.09.2019.

In the meanwhile, upon the petitioners joining investigation, in case they are sought to be arrested, they would be admitted to interim bail till the next date of hearing only and specifically, on their furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaq Magistrate. They shall abide by the conditions stipulated in Section 438(2) Cr.P.C.

If the arresting officer does not join the petitioners in investigation, they would appear before the learned Illaq Magistrate immediately, who would then summon the arresting officer and direct him to join them in investigation.”

Learned counsel for the petitioners submits that pursuant to the order dated 02.09.2019 passed by the Coordinate Bench of this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Jaswinder Singh, submits that though the petitioners have joined the investigation and are not required for interrogation purposes, yet their passports are still required.

At this stage, learned counsel for the petitioners submits that the petitioners would surrender/deposit their passports with the investigating agency within one week.

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Looking to the circumstances, but without commenting on the merits of the case, the present petition is allowed and the order dated 02.09.2019, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

If the petitioners fail to surrender/deposit their passports with the investigating agency within one week, the instant petition shall stand dismissed automatically.

15.01.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No