

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-11396-2020 (O&M)
Date of Decision:-13.8.2021

Ratipal ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vijay Sharma, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana,
assisted by Inspector Joginder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.0001 dated 29.1.2020 at Police Station SVB Hisar under Sections 420, 465, 468 and 471 of Indian Penal Code.
2. The allegations, in nutshell, are that the petitioner, who is working as a Beldar in Public Health Department, Bhiwani, with a view to obtain service benefits for a longer period, got his date of birth recorded incorrectly as 20.8.1978, whereas his actual date of birth is 10.8.1966.

3. During the course of investigation, it was found that as per record of Government High School, Rewari Khera, where the petitioner had studied, his date of birth was recorded as 10.8.1966. Interestingly his son also later studied in the same school and his son's date of birth was recorded as 20.9.1989 and which would necessarily show that the date of birth now being projected by the petitioner i.e. 20.8.1978 is apparently an incorrect date of birth.
4. Learned State counsel has informed that pursuant to interim directions, the petitioner has joined investigation.
5. The case pertains to incorrect disclosure of date of birth, which would mainly be based on documentary evidence. Although it does appear that *prima facie* the petitioner has disclosed an incorrect date of birth but keeping in view the fact that the entire controversy is based on documentary evidence and the petitioner has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 18.3.2020 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.
6. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

13.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No