

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-55598-2019 (O&M)**

Savita Kalra ...Petitioner

Versus

State of Haryana ...Respondent

(II) CRM-M-730-2020 (O&M)

Yatinder Gupta ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 04.08.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Gurmohan Singh Bedi, Advocate, for the petitioner
in CRM-M-55598-2019.Mr. Gurmandeep Singh Sullar, Advocate, for the petitioner
in CRM-M-730-2020.Mr. Vishal Kashyap, AAG, Haryana,
assisted by SI Ram Niwas.Mr. Mansur Ali, Advocate, for the complainant
in CRM-55598-2019.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the aforesaid two petitions i.e. CRM-M-55598-2019 filed on behalf of Savita Kalra and CRM-M-730-2020 filed on behalf of Yatinder Gupta, seeking grant of anticipatory bail in respect of a case registered against them vide

FIR No.401 dated 30.11.2019 at Police Station DLF-II, Gurugram, under Sections 420/467/468/471/120-B IPC.

2. The FIR in question was lodged at the instance of Ankush Kalra, who is the husband of petitioner-Savita Kalra, wherein allegations have broadly been made to the effect that the petitioners alongwith Raj Kumar and Pankaj Jain were running a racket of issuing bogus Mark Sheets and Degrees in respect of academic qualification/s purporting to have been issued by Sunrise University, Alwar, Rajasthan and thus, used to fleece innocent persons. It is further alleged therein that in fact even the Degree in the name of Savita was a bogus Degree and during the course of matrimonial dispute with his wife Savita Kalra, he came across a huge bundle of Mark Sheets lying in a bag. It is specifically alleged therein that the complainant's wife had in fact never attended a single class in the University from which she claims to have obtained a Degree.
3. Learned counsel for the petitioners submit that the instant case, in fact, is an outcome of matrimonial discord between the complainant and his wife Savita Kalra and is a counter-blast to the FIR lodged by Savita Kalra i.e. FIR No.75 dated 21.06.2019, Police Station Women, Gurugram, under Sections 34/406/498-A & 506 IPC, against her husband i.e. the complainant in the instant case.
4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation. However, learned counsel for the complainant has

opposed the petition/s on the ground that the certificates clearly show that the accused are running a racket of issuing bogus Degree/s.

5. Even as per the allegations levelled in the FIR, it is a case which is based mainly on the documentary evidence. The fact that the complainant and the accused are having some matrimonial discord amongst themselves would certainly put the Court at caution. In any case, since the petitioners have already joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide order/s dated 26.12.2019 in CRM-M-55598-2019 and 10.01.2020 in CRM-M-730-2020 are hereby made absolute subject to the condition that the petitioners 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.

(GURVINDER SINGH GILL)
JUDGE

04.08.2021

Vimal

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