

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

CRM-M-18422 of 2022

Date of Decision: 2nd May, 2022

Sukhvir Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Inderpal Singh Parmar, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition is filed seeking anticipatory bail in FIR No.27 dated 10.2.2022, under Sections 419, 420, 465, 467, 468, 471 IPC, registered at Police Station City Sangrur.

As per the case set up, the petitioner was appointed as Math Master on contract basis under Sarv Shiksha Abhiyan and was discharging his duties in Govt. Senior Secondary School Razia in 2018. FIR No. 37 dated 8.2.2018 under Sections 376 and 120-B IPC was registered against the petitioner in Police Station Hathoor, Distric Ludhiana. The petitioner was suspended by the Education Department. The petitioner was allowed to join as an enquiry was pending. His job was regularised, wherein he made a self declaration concealing the fact regarding pendency of the criminal case. His services were terminated in March, 2020. The petitioner forged his reinstatement order and joined the duty in September, 2020 and claimed salary. The present FIR was registered on the complaint made by DPI.

Learned counsel for the petitioner submits that the petitioner has challenged the termination order by way of writ petition which is pending. He had no occasion to produce a forged reinstatement order. It is further argued that departmental enquiry is pending and no record of e-mail regarding forged reinstatement order is available with the department.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. He submits that the petitioner was involved in three FIRs. In one of the FIR i.e. No. 284 dated 10.6.2021, under Sections 420, 467, 468 and 471 IPC with similar allegations was got registered at Police Station City Barnala. It is further argued that custody of the petitioner is required as the *modus operandi* and the electronic devices used for creating false reinstatement order are to be recovered. He further argues that custody of the petitioner is required as the investigation with regard how the Education Department allowed the petitioner to join the investigation without checking the veracity of reinstatement order.

The allegations against the petitioner are serious. Forged reinstatement order was e-mailed and thereafter he joined duty and drawn the salary. Similar are the allegations against the petitioner in FIR No. 284. In that case petitioner produced a forged appointment letter based upon the order of Punjab and Haryana High Court in the writ petition, for appointment as Economic Lecturer. He filed an affidavit that he was never dismissed from him and no departmental enquiry or case was initiated against him. In the present case, custody of the petitioner would be required to un-earth the *modus operandi* adopted and the recovery of electronic devices used is to be made. If granted protection of pre-arrest bail, the deeper probe required in the case would not be possible.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]

JUDGE

2nd May, 2022

mk

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No