

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

CRM-M-43830-2021 (O&M)

Date of Decision:- 9.3.2022

Saurav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Anmol Partap Singh Mann, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. 329 dated 13.11.2020 under Sections 420, 467, 468, 471 IPC (Sections 120-B, 201 and 472 IPC added lateron) at Police Station Bhiwani Civil Lines, District Bhiwani.
2. The FIR was lodged at the instance of Secretary, Haryana School Education Board, Bhiwani with the broad allegation that 15 persons had applied for change of date of birth on the basis of decrees of the Civil Court. It is alleged that when the Education Board sought verification of the decrees from the Court of District Judge, Panipat, it transpired that all the said decrees were forged documents and that no such decrees had ever been passed by the competent Court.
3. During the course of an inquiry conducted by the Additional District Judge as regards the authenticity of the said decrees, it was found that the Judge

whose name was mentioned on the decrees in question was never posted in the year 2019 when the said decrees were purported to have been passed.

4. The learned counsel for the petitioner has submitted that the petitioner is not amongst those 15 applicants who had moved application for change of their date of birth and that he is not even named in the FIR. It is submitted that the name of the petitioner surfaced during the course of investigation when co-accused Govind was arrested and who disclosed that an amount of ₹25,000/- had been passed to Parmanand through the petitioner. The learned counsel for the petitioner submits that the other piece of evidence relied upon by the Investigating agency is a disclosure statement stated to have been made by the applicant himself regarding his involvement which would hardly carry any evidentiary value. The learned counsel for the petitioner has submitted that since the petitioner has been behind bars for a substantial period of 11 months and that some other co-accused namely Parmanand, Manjeet, Pawan Kumar, Abhimanyu and Vikram have already been granted bail by this Court, the petitioner also deserves the same concession on grounds of parity.
5. On the other hand, the learned State counsel while opposing the petition has submitted that during the course of investigation, it surfaced that even the petitioner had got his own date of birth changed on the basis of bogus decrees and that in these circumstances, his complicity is clearly evident. The learned State counsel has informed that the petitioner has been behind bars since the last about 11 months and that he is not involved in any other case. It has been informed that as on date 8 out of the cited 13 prosecution witnesses has been examined.

6. I have considered rival submissions addressed before this Court.
7. Without commenting anything as regards the merits of the case but bearing in mind the fact that the petitioner has been behind bars for a substantial period of 11 months and also that he otherwise has a clean record and that some of the co-accused have already been granted bail, the petition merits acceptance and is hereby accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9.3.2022

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No