

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

CRM-M-48113-2019 (O&M)
Date of Decision:-28.9.2022

Sudeep Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S. Pheruman, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Krishan Chandar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.597, dated 24.9.2019, Police Station City Sohna, District Gurugram, under Sections 420, 467, 468, 471 of Indian Penal Code.
2. The allegations, in nutshell, are that the petitioner, who had been working as a Professor in GD Goneka University, Sohna Road, Gurugram, had furnished a Ph.D. Degree purported to have been issued by German University. However, when the University Authorities got the same verified, the same was found to be a forged degree.
3. Reply by way of affidavit of Shri Abhilaksh Joshi, HPS, Assistant Commissioner of Police, Sohna, Gurugram has been filed by learned State counsel today in Court, which is taken on record.

4. Learned counsel for the petitioner submitted that the petitioner was never aware about the degree being a forged degree and that it was at the instance of one Sunil Kumar, who claimed himself to be a Director of Dolphine Info. Solution Study Centre, Kotla Nala, Solan, Himachal Pradesh, who had represented that there was a university in Germany by the name 'Clausthal University of Technology' and that his institute i.e. Dolphine Info. Solution Study Centre is an authorized study center for Ph.D. programme for the said university and that Ph.D. Degrees could be issued purely on research basis and for which thesis were required to be submitted that he got trapped. It has been submitted that the petitioner being taken in by the said representation, had got himself enrolled with the said Center and had submitted his thesis and pursuant to which the degree was awarded to him and he was always under the impression that he has been awarded degree by a German University and had no clue whatsoever regarding the degree being fake or that he himself had been deceived.
5. Learned counsel for the petitioner submits that even if the said German Degree is not taken into account, he is well qualified possessing an M. Tech. Degree and it cannot be said that he had cheated anybody or deceived anybody or was not competent to teach in the university in question.
6. Opposing the petition, learned State counsel has submitted that since the petitioner had got his appointment on the basis of a degree, which was forged, and apparently he was knowing about the same, he does not deserve any concession of bail. It has, however, been informed that pursuant to interim directions, the petitioner has joined investigation and is not required for any custodial interrogation and that he is not even wanted in any other case.

7. Having regard to the facts and circumstances of the case particularly the fact that the petitioner has already joined investigation and is not required for any custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 25.8.2021 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.

28.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No