

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35709-2023
Decided on : 26.07.2023

Man Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.K.Choudhary, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The petitioner is seeking concession of anticipatory bail in case FIR No.271 dated 08.05.2023 under Sections 387, 420, 467, 468 and 471 IPC registered at Police Station Ambala Cantt District Ambala.

2. Learned counsel for the petitioner *inter alia* contends that a false case has been planted upon the petitioner by the complainant Piyush Srivastava, who is an employee of Meditrina Hospital Pvt. Ltd., Faridabad. Learned counsel submits that in fact it is the petitioner, who was a whistle-blower and as he had found some irregularities and a huge fraud running into crores of rupees being committed by the hospital branches with the Government under the Ayushman Bharat Scheme, he was suspended by his employer i.e. complainant-company and implicated in FIR No.288 dated 27.08.2020. Learned counsel further submits that ever since he had exposed the misdeeds of his employer, he was being pressurized by him to withdraw the complaint No.106/2023, which had been instituted by him under PC/PNDT Act at Faridabad. However, since

he refused to succumb to the pressure tactics of the complainant-company, the FIR in question had now been lodged against him wherein allegations had been levelled that he had cheated the complainant company by producing fake and forged documents at the time of his appointment. A prayer, therefore, has been made by the learned counsel for the petitioner that the petitioner be extended the concession of anticipatory bail in the case in hand.

3. Notice of motion.

4. Ms. Trishanjli Sharma, DAG, Haryana accepts notice on behalf of respondent-State. Mr. Munish Behl, Advocate, who is present in Court, accepts notice on behalf of the complainant and filed memo of appearance in Court today, which is taken on record.

5. Learned counsel for the State assisted by counsel for the complainant has opposed the prayer and submissions made by counsel opposite. It has been submitted that not only did the petitioner get a job in the complainant-company on the basis of fake and forged certificates, but he had been taking money clandestinely from the patients, who would come to the hospital qua which he never issued any receipt. In view of the irregularities committed, he was subsequently terminated from the services by the company. Thereafter, the petitioner started indulging in malicious propaganda against the complainant-company and also demanded a huge sum of money to keep quiet. As if that was not enough, the petitioner filed a complaint case under PNDT Act for which the complainant-company approached this Court for quashing and the proceedings before the Court below had since been stayed. It has further been submitted that the most serious allegation against the petitioner was that he had

procured not only fake certificates of 10th and 12th class but also a fake degree of BAMS for getting employment in the complainant hospital and as such had been putting the life of patients in danger. Learned State counsel prays for dismissal of the instant petition as the custodial interrogation of the petitioner is required for busting the gang, which has been fabricating fake educational certificates and degrees.

6. Heard learned counsel for the parties and perused the relevant material available on record.

7. *Prima facie* there are serious and specific allegations against the petitioner of having procured a job in Meditrina Hospital Pvt. Ltd., Faridabad on the basis of not only fake 10th and 12th class marksheets but also on the basis of a fake BAMS degree.

8. In view of the allegations levelled against the petitioner, this Court does not deem it fit to extend the concession of anticipatory bail to the petitioner as his custodial interrogation would be required to know the source from where he had managed to procure fake educational certificates and degree. Accordingly, the present petition stands dismissed.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

26.07.2023
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No