



CWP-1305-2021

1

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

(214)

CWP-1305-2021

Date of Decision : 31.10.2025

Surender

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Karan Garg, Advocate for
Mr. Teevar Sharma, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. AG, Haryana.

Mr. K.K. Gupta, Advocate
for respondent No.2.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, a challenge is thrown to the order dated 01.12.2020 (Annexure P-7), whereby, the request of the petitioner for issuance of duplicate certificate of Secondary School Examination, has been declined, on the ground of '***bogus Court order***'.

2. Learned counsel for the petitioner apprises this Court that similar issue, as involved in the instant writ petition, had cropped in CWP-22467-2020, titled '*Sikander and others versus Board of School Education Haryana, Bhiwani*' decided on 16.11.2022, by Coordinate Bench of this Court, wherein, it was held that despite the petitioners therein, have committed criminal act, in conspiracy with Parmanad son of Kehar Singh, yet



they cannot be denied issuance of their original Class X/Class XII certificates. The relevant of the said judgment is extracted hereinafter :-

“Learned counsel for the respondent submits that the certificates were obtained by forging as many as 172 judgments and decrees. This was highlighted by the then District Judge of Panipat vide his communication dated 26.02.2020. The entire record has been taken away by the police and, thus, the originals can not be given to the petitioners. Moreover, the petitioners have committed a criminal act and this dis-entitles them to issuance of the original certificates.

In rebuttal, learned counsel for the petitioners submits that some of the petitioners have created 'digi locker' in which the details of their Class X/Class XII examination have been uploaded by the Board and, thus, the submission that the record has been taken away by the police is false.

Faced with this situation, learned counsel for the respondent submits that the 'digi locker' was updated because the relevant details were available with the Board. The original certificates have, however, been cancelled and are in police custody.

Undoubtedly, the petitioners have committed a criminal act in conspiracy with Parmanand son of Kehar Singh, yet, they can not be denied issuance of their original Class X/Class XII certificates. The submission that the record is not available has been falsified and learned counsel for the respondent has admitted as such. Thus, the writ petition is allowed. The respondent is directed to issue duplicates of the original Class X and Class XII certificates to the petitioners within eight weeks from the date of receipt of a certified copy of this order.

Nothing stated hereinabove shall be constructed as an opinion on the merits of the criminal case.”



3. This Court has considered the prayer made by the learned counsel for the petitioner. The sole prayer made by the petitioner is that he shall be issued the duplicate certificate in accordance with the original record as it was existing prior to the change sought on the basis of ***‘bogus Court order’***.

4. The prayer made by the petitioner is found to be *bona fide* and innocuous, therefore, a *mandamus* is passed upon the respondent No.2, to issue duplicate certificate to the petitioner, in respect of Secondary School Examination, on the basis of original record, as it was existing prior to the changes carried out, on the basis of ***‘bogus judgment and decree’***.

5. It is further clarified that issuance of such certificate, and the *mandamus* passed by this Court, would not be construed as an expression of opinion on the merits of the criminal case, and shall not have any bearing on the on-going proceedings, if any, against the petitioner.

6. Consequently, the instant writ petition is **disposed of**.

7. It goes without saying that the above said exercise, shall be carried out, within a period of four weeks from the date of receipt of certified copy of this order.

(KULDEEP TIWARI)
JUDGE

October 31, 2025
Manpreet

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