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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4247-2025
DECIDED ON: 07.03.2025

JAGANDEEP

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Arshpreet Khadial, Advocate,
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, for grant of anticipatory bail, in case bearing FIR No.125, dated 22.09.2024, under Sections 420, 465, 468, 471 IPC, registered at Police Station Kotwali, District Bathinda.

2. In the present anticipatory bail petition, on 30.01.2025, following order was passed:-

“1. Present petition has been filed by the petitioner, for grant of anticipatory bail, in case bearing FIR No.125, dated 22.09.2024, under Sections 420, 465, 468, 471 IPC, registered at Police Station Kotwali, District Bathinda.

2. Counsel for the petitioner submits that for the post of Assistant Branch Post Master, petitioner submitted a matriculation certificate, and on that basis in May/June 2022, he was given employment. After joining the service, his documents were verified, and it was alleged that he had submitted a forged and fabricated matriculation certificate, for getting the job.

Counsel for the petitioner further submits that date of the verification report is 16.05.2023 and was issued by Regional Office at Paryagraj, whereas the verification is required to be conducted by the office of Board of Madhyamik Shiksha Parishad, Uttar Pradesh,



which is actual issuing institution/authority of the certificate.

3. *He further submits that the petitioner is not involved in any other case, also.*

4. *Notice of motion.*

5. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State, and seeks some time to file status report, to respond over the submissions made by counsel for the petitioner, today.*

6. *List again on 13.02.2025, to enable learned State counsel to file status report in the matter.*

7. *To be shown in the urgent list.*

8. *Meanwhile, arrest of the petitioner shall remain stayed, till the next date of hearing.”*

3. Learned State counsel has filed status report dated 06.03.2025 in the Court today and the same is taken on record.

4. While referring to the status report, learned State counsel submits that even on the verification done from the office of Additional Secretary (Administration), Board of High School and Intermediate Education, Allahabad (Prayagraj), U.P., investigating agency has been informed that *“this roll number has not been granted to anyone under the area of Additional Secreteriat Secondary Education Council Regional Office, Prayagraj”*.

Thus, learned State counsel submits that the certificate relied by the petitioner for obtaining the job, is found to be forged. Thus, petitioner’s custodial interrogation is required to be conducted.

5. On the other hand, counsel for the petitioner argues that all the relevant documents are already in the possession of the respondent-State. Since the prosecution’s case is entirely based on documentary evidence, the petitioner is willing to supply all the required information, both oral and documentary, in response to any requisition made by the Investigating Officer.



He further submits that the truth has yet to be ascertained, and the petitioner has already suffered a penalty, i.e. losing of his job as Post Master, which he had obtained based on the disputed certificate.

6. Counsel for the petitioner also argues that in similar circumstances, a co-ordinate Bench of this Court, vide order dated 17.12.2024, considered a plea for anticipatory bail, where a Class 12 certificate was allegedly forged, and subsequently granted bail and allowed the petition, vide order dated 23.01.2025.

Copy of the said orders are produced in the Court, and the same are reproduced here under:-

Order dated 17.12.2024 passed in CRM-M-55485-2024:-

“This petition has been filed seeking grant of anticipatory bail in FIR No. 124 dated 21.09.2024 under Sections 420, 465, 468 and 471 of the IPC registered at P.S. Kotwali Bathinda, District Bathinda.

Learned counsel for the petitioner submits that original certificate pertains to class XII of the petitioner is in the police custody.

Be that as it may, for other information which the investigating officer may require to extract from him, the petitioner is directed to join the investigation and reporting to the Investigating Officer concerned within a period of one week from today who shall be released on interim anticipatory bail on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement,



threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

Adjourned to 23.01.2025"

Order dated 23.01.2025 passed in CRM-M-55485-2024:-

"The instant petition under Section 482 BNSS, 2023, has been filed for grant of anticipatory bail to the petitioners in FIR No.124, dated 21.09.2024, under Sections 420, 465, 468, 471 IPC, 1860 registered at Police Station Kotwali Bathinda, District Bathinda.

This Court vide order dated 17.12.2024, granted the concession of interim bail to the petitioner, subject to his joining the investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 17.12.2024 the petitioner has joined the investigation.

Learned State counsel does not controvert the said fact and further submits that custodial interrogation of the petitioner is not required.

In view of the above, the order dated 17.12.2024 is made absolute. Accordingly, the present petition is disposed of."

7. Prosecution's case, *prima facie*, is based on documentary evidence, which will be collected by the investigating agency either from the concerned Board or through requisition from the petitioner, during the course of the investigation. Moreover, in similar circumstances, co-ordinate Bench of this Court had already granted the concession of anticipatory bail. Therefore, prayer made in the present petition is hereby allowed.

Resultantly, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event



of his arrest, the petitioner shall be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

07.03.2025
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>