



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
214

CRM-M No.16480 of 2025
Date of decision: 27.05.2025

Ram Pratap Meena ... Petitioner

Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Pranav Chadha, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
17	24.02.2025	Cantonment, Distict Police Commissionerate Amritsar	420, 465, 467, 468 and 471 of IPC

2. As per the allegations, the petitioner had secured employment in the office of Central Public Works Department (CPWD) on the post of Beldar. He had submitted requisite documents. The bith certificate submitted by him had been sent for verification and it was found that the

2025:PHHC:072997



wrong date of birth had been recorded and the certificate so issued was also false. The matter was inquired into and it was found that the petitioner had forged certificate for the purpose of securing employment. On complaint lodged by the officer of CPWD, the FIR was registered. Investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 18.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. His actual date of birth is 05.01.1971 as submitted in the birth certificate. The same date is mentioned in his driving license, PAN Card, Mark Sheet, transfer certificate and Aadhar Card. The report submitted by the District Education Officer, Dausa that his date of birth is 01.01.1967 is not correct. No case for commission of offences for which he has been booked has been made out against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. The case is based on documentary evidence. It is, therefore, argued that he deserves to be given concession of pre arrest bail.

4. Status report has been filed. It is submitted therein and it is argued by learned Assistant Advocate General, Punjab that as per the report received from the District Magistrate, Dausa, Rajasthan along with

2025:PHHC:072997



of the Chief District Education Officer, Dausa and as per record of this school, the actual date of birth of petitioner was 01.01.1967. It is also submitted that though in the 5th class detailed mark sheet of the petitioner as well as in his school transfer certificate, his date of birth is mentioned as 05.01.1971, but the same does not match with the school record. It is submitted that for conducting thorough investigation in the matter, the custodial interrogation of the petitioner is required as the certificate produced by him on record is prima facie fake and forged document. It is also submitted that no extraordinary or exceptional circumstance for grant of pre arrest bail is made out and, therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have submitted his birth certificate, transfer certificate issued by the Headmaster of Government Primary School, Nangvada, District Dausa and certificate issued by Headmaster at the time of joining his services with CPWD. These documents were sent for verification. As per the report submitted by District Education Officer, Dausa the date of birth of the petitioner as per the school record was 01.01.1967. However from the reply submitted by the respondent-State itself, the transfer certificate wherein the date of birth of petitioner was mentioned as 05.01.1971, had been issued by the school authorities itself. Though it is submitted that the petitioner has tampered his date of

2025:PHHC:072997



birth in his school certificates, however, keeping in view the fact that one of such certificates is shown to have been issued by the school authorities itself, it is a question of debate as to whether the different dates as mentioned in the school record were at the behest of the petitioner. The case is based on documentary evidence. For the purpose of assessing authenticity thereof, the custodial interrogation of the petitioner is not required and given the nature of the allegations, this Court is of the opinion that pre trial incarceration would not serve any purpose. A case is made out to extend benefit of pre arrest bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrendering before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order and joining investigation. On his surrender within that period, he shall be released on bail by the Investigating Officer/Arresting Officer on furnishing personal/surety bonds to his satisfaction and subject to the following conditions:-

- (i) the petitioner shall cooperate with the investigation and shall appear before the Investigating officer/Arresting officer as and when required.
- (ii) He 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/her from disclosing such facts

2025:PHHC:072997



to the Court or to any Police Officer.

(iii) He shall not commit any similar offence while on bail.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. This order shall come into force from the time it is uploaded on this Court’s official webpage.

27.05.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No