

2025.PHHC:063636



101

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

**CRM-M-26108-2025
DECIDED ON: 14.05.2025**

SUKHMANI SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Mr. Dhruv Trehan, Advocates
for the petitioner.

Mr. Jastej Singh, Addl. AG Punjab

Mr. S.S. Behl, Advocate with
Mr. Gaurav Vir Singh Behl, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.36, dated 13.05.2025, under Sections 318(4), 338, 336(3), 340 of BNS, registered at Police Station Tibba, District Police Commissionerate Ludhiana (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Today, an application PDG No.357352/356727 dated 29.05.2024 from Taranjit Singh of son of H.No.306, Tibba Road, at Sh. Suhail

street No.02, Ludhiana station Police the through post case. for the Singh, Gopal been has after the registration resident Nagar, received inquiry, of the The contents of which are as under: From: The Director, Bureau of Investigation, Punjab, Chandigarh. To: Ludhiana. No.1800/CC-1, Commissioner Police, dated, Chandigarh the: 22.05.2024 Subject: Complaint against Sukhmani Singh Ohri son resident of of Jagjeet Singh Gopal Nagar, Tibba Road, Ludhiana. Memo. Please refer to the subject cited above. 2. Complaint submitted Sh. Taranjit Singh resident of by Gopal Nagar, Tibba Road, Ludhiana is sent herewith, please send the status of matter to of this office earliest. Encls:- Complaint. Incharge/Complaint Copy Cell, For/Director, BOI, Punjab, Chandigarh. In respect of this subject, the application is as under:- To, The D.G.P., Punjab. Application son of against Sukhmani Singh Ohri Jagjeet Singh, resident of H.No. 13282, street No.5, Gopal Nagar, Tibba Road for the registration for the usurping lacs of of the case rupees by inducing innocent persons in his net, portraying himself as an Advocate, by by preparing bogus degrees alongwith his friend David, and for preparing his bogus certificates and by portraying himself to be an Advocate reputation by stating and getting false himself to be an advocate despite not having any degree of LL.B. Sir, (1) That I am a peace loving and law abiding citizen. (2) That the above accused Sukhmani Singh alias Ohri has been portraying himself as an Advocate, whereas Sukhmani has never done any LL.B. The above accused on the basis certificates, of bogus has earlier got enrolled. When the accused came to know last year about the scandal of bogus advocates, then the accused got himself enrolled by getting bogus certificates of Uttar Pradesh, but the said accused has not LL.B. of any University. enquired about this and evidence in this the same to you degree any I of have fully have cogent I regard. I will produce at time the of Alongwith Sukhmani alias Mani, need. many accused persons are doing the business of bogus degrees, which is being run main head David Gill, advocate. a case registered against was alias Mani, in Vigilance Police by (3) the That Sukhmani station, Ludhiana, in which he remained in the jail. In

the said case, the accused by stating himself to be an advocate in the court, had got the bail. Of which also, I have cogent evidence. Thus, you that said 468, a case I request be registered against the accused under sections 420, 465, 467, 471 and other sections portraying himself to of IPC, for be an advocate and using the bogus certificates and degree and preparing bogus certificates giving to the persons, and the persons as stating himself as an and cheating the court an advocate and by advocate and cheating the persons and he may be sent behind the bars at the earliest. Thanking you,”

3. **Contention**

On behalf of the petitioner

The learned senior counsel for the petitioner argues that he, and co-accused David Gill had previously exposed Parminder Singh (son of the current complainant, Taranjit Singh) for allegedly securing Bar Council enrolment through forged documents, leading to FIR No. 294/2022 against Parminder Singh and the cancellation of his Bar membership.

He further vehemently contends that the petitioner supported David Gill, who acted as a whistle blower. Following these events, Parminder Singh and his father allegedly retaliated by filing complaints, including one with the Bar Council of Punjab & Haryana, accusing Sukhmani Singh and David Gill of holding fake law degrees. The Bar Council, after a thorough investigation, found these allegations to be false and confirmed the genuineness of petitioners degree from Sunrise University, Alwar, Rajasthan which the university repeatedly verified as authentic in communications with the police.(Annexure P-5 and Annexure P- 7)

Mr. Ghai argues that despite these findings, a new FIR was registered against the petitioner based on similar unsubstantiated allegations from Taranjit Singh.(Complainant). The petitioner contends that this FIR was filed due to the influence and vendetta of Parminder Singh, who is a politically influential figure,

and that the police proceeded with the case despite clear evidence disproving the claims against the petitioner, including multiple confirmations from Sunrise University regarding the legitimacy of his law degree.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jastej Singh, Addl. AG Punjab accepts notice on behalf of respondent/State whereas Mr. S.S. Behl, Advocate with Mr. Gaurav Vir Singh Behl, Advocate accepts notice on behalf of the complainant.

Learned state counsel assisted by learned counsel for the complainant opposes the grant of anticipatory bail on the ground that the allegation against the petitioner is grave in nature as he has tried to represent himself as an advocate on the basis of forged degree of law and the same is substantiated by the document presented by the state issued by Sunrise University, Alwar, Rajasthan through email dated 22.06.2024 to SHO Tibba, Ludhiana which clearly depicts that they have not issued the said certificate and the same is fake. He further strengthens his arguments by submitting that the petitioner is possessing another fake degree issued by Jiwaji University Gwalior dated 10/12/2015 on the basis of which he got enrolled in District Bar Association, Ludhiana and was even enrolled in the voters list. Therefore once there are two degrees possessed by the petitioner which are prima facie fake he does not deserve the concession of Anticipatory Bail and seeks his custodial interrogation.

4. Analysis

This court is of the view that once the disputed question of facts are involved and admittedly the documents are in the possession of the state which are controverted by the counsel for the petitioner as the Sunrise University, Alwar, Rajasthan has repeatedly verified the authenticity of the degrees possessed by the

petitioner (Annexure P-5 and Annexure P- 7). Moreover, as far as another degree issued by Jiwaji University, Gwalior, dated 10/12/2015, in the name of the petitioner is concerned that is denied by him and the same is alleged to be fabricated and forged. Therefore, the court would refrain from commenting anything as the same can be tested during the course of trial before the lower court, being the court of evidence.

At the time of granting bail the court should always only form a *prima facie* view and should not comment on merits of the case. Therefore once the evidence that needs to be collected is already available with the state and by allowing the petitioner to join investigation could be proceeded further without enforcing his custody. Accordingly the present prayer of the petitioner for the grant of anticipatory bail deserves to be allowed as he is willing to cooperate with the investigating agency.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under subsection (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.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

14.05.2025

Meenu

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