



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

CRM-M-36416-2025-2024(O&M)

Date of decision: 14.07.2025

Sahil

...Petitioner

Versus

State of U.T., Chandigarh

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manvender Chauhan , Advocate
for the petitioner.

Mr. Ganesh Kumar Sharma, Addl. P.P., Chandigarh

HARPREET SINGH BRAR, J.(Oral)

1. The present petition has been preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS') seeking anticipatory bail in FIR No.55 dated 25.06.2025 registered under Sections 420, 511, 465, 468 and 471 IPC at Police Station North, Chandigarh.

2. Briefly, the facts, as alleged, are that the petitioner had appeared for SSC-CGL Exam, 2024 under the category of 'Persons with Disability'. He also submitted the requisite Disability Certificate. However, on verification of the same, it was found to be forged, specifically, the certificates purportedly issued by the office of CMO-cum-Civil Surgeon, Jind, Haryana and Fatehpur, Uttar Pradesh.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has duly cooperated in the investigation of FIR(supra) and all the documentary evidence is already in possession of the investigating agency.



Further, no useful purpose will be served by keeping the petitioner in custody. He also submits that the petitioner is also a victim as his disability certificate turned out to be fake, resulting in him being debarred from the examination for 03 years.

4. *Per contra* learned State counsel submits that the forged certificates were purportedly issued by concerned offices in Jind, Haryana and Fatehpur, Uttar Pradesh. However, the petitioner and his co-accused are not residents of either of these two places. As such, it is clear that the petitioner intentionally produced a forged certificate to obtain the proposed employment. Therefore, he does not deserve the concession of anticipatory bail.

5. Having heard learned counsel for the parties and after perusing the record with their able assistance, it transpires that the petitioner was debarred from writing the said examination for 03 years as during document verification, his disability certificates was found to be forged and fabricated. In fact, he filed a Civil Writ Petition bearing No. 5700 of 2025 before this Court challenging the debarment order. Ironically, the adjudication of the same resulted in initiation of an investigation against the alleged misconduct on part of the petitioner. Vide order dated 11.03.2025, the following was observed

“5. However, this Court has noticed that the candidature of the petitioners was rejected and the debarment order was passed on the ground that the certificates regarding physical limitations produced by the petitioners have been purportedly issued by the office of Chief Medical Officer-cum-Civil Surgeon, Jind and Fatehpur in U.P. notwithstanding that none of the petitioners is a resident of the respective District wherefrom the certificate has been issued.

6. So far as petitioner No.1-Sahil is concerned, he is a resident of District Sonipat but the certificate has been obtained from the office of Civil Surgeon Jind; petitioner No.2-Suraj who is a resident of Kaithal, has produced the certificate from the Chief Medical Officer, Fatehpur in U.P.; petitioner No.3-Vijay Kumar again belongs to Sonipat but the



certificate pertains to Fatehpur in U.P.; petitioner No.4-Devender Mor is again a resident of Sonipat who has produced the certificate issued by the Chief Medical Officer, Fatehpur in U.P.; Arjun-petitioner No.5, a resident of Sonipat has produced the certificate issued by Chief Medical Officer, Fatehpur in U.P. and Parveen-petitioner No.6 has produced the certificate issued by the Chief Medical Officer, Jind. Hence, four of the petitioners incidentally all belonging to Sonipat other than petitioner No.2-Suraj who is a resident of Kaithal, have obtained the certificates regarding physical limitations to write from the office of CMO, Fatehpur, while the other two residents have obtained similar certificates from CMO, Jind.

7. *On the basis of aforesaid certificates, the petitioners were allowed compensatory time and facility of a scribe to write the exam. Eventually, on verification, it was apprised by the concerned issuing Authority that the certificates have not been issued by their offices. The petitioners were thus found guilty of misconduct and in terms of Point No.5, they were debarred for a period of three years. Communication regarding the debarment orders was also sent to the concerned Superintendent of Police, for taking respective action, however, it seems that no action has been taken”*

Furthermore, the Senior Superintendent of Police, U.T. Chandigarh as well as State Vigilance Bureau were directed to submit their respective reports before this Court. Consequently, FIR(supra) was registered.

6. The State has formulated policies to facilitate persons with disabilities in living a dignified life. The intention of the Legislature is made clear with enactment of statutes like Right of Persons with Disabilities Act, 2016 and Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. In furtherance of this intention, certain seats were reserved for persons with disabilities in the said examination. However, it was discovered that while the petitioner was a resident of Sonipat, the disability certificate provided by him was seemingly issued by Office of Civil Surgeon, Jind. Since the petitioner had applied under the category of Persons with Disabilities, he availed certain facilities like extra time and a scribe during the



examination, when he may not be deserving of the same. Further, if the guilt of the petitioner is established, he would have essentially deprived a deserving candidate, a person actually living with a disability, of a chance at employment.

7. Therefore, in view of the discussion above, this Court does not find any grounds for granting the concession of anticipatory bail to the petitioner. Accordingly, the present petition is dismissed.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

9. However, nothing observed hereinabove shall be construed to be expression of an opinion by this Court on the merits of the case. Learned trial Court is directed to proceed with the trial on its own merits, without being prejudiced by the above.

(HARPREET SINGH BRAR)
JUDGE

14.07.2025

Ajay Goswami

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