

2025:PHHC:104404



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

CRM-M-42849-2025

Date of Decision: 12.08.2025

Monika

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Vikas P. Singh, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.13 dated 17.01.2025 under Sections 318(4)/319(2)/336(3)/338/340(2) of BNS, 2023 registered at Police Station Civil Line, Bhiwani.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Monika daughter of Ramniwas. It was alleged that she had done primary education from Seth Janki Dass, Girl Senior Secondary School, Sui. She applied for the post of Gramin Dak Sewak advertised by the Department of Posts, Ministry of Communications, Government of India. However, she did not get selected. On 04.10.2024, she received a call from her school Seth Janki Dass Girls Senior Secondary School, Sui, from the Headmaster, who informed that her document verification has come to school from Nagaur, Rajasthan. On reaching the school, she found that some other girl of the same name, Monika, daughter of Ramniwas had got re-issued her mark sheet

of 10th standard, which she never applied. It was found that the name of parents of that Monika (petitioner) was also the same, as the name of her parents. She realized that fraud has been committed with her by that another Monika by getting the 10th mark sheet of her re-issued in her name. The request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, the said Monika (petitioner) was arrested on 21.01.2025 and complicity of the other co-accused also surfaced as she was alleged to have prepared the mark sheet issued to the petitioner Monika in the name of complainant. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Bhiwani praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Bhiwani declined the petition filed by the petitioner vide order dated 01.07.2025 (Annexure P-1). Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Pinki @ Meghna. He has drawn the attention of this Court to the order dated 31.07.2025 passed in **CRM-M-36140-2025** whereby, the above mentioned co-accused has been granted regular bail by this Court. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner is in custody since 21.01.2025. He submits that the petitioner has no criminal antecedents. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case

of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has opposed the submissions made by the learned counsel for the petitioner but has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Pinki @ Meghna. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 21.01.2025. Co-accused, namely, Pinki @ Meghna is on bail and the case of the petitioner as stated is at par with her. As per custody certificate, the petitioner has suffered incarceration of 06 months & 17 days as on 08.08.2025. It further reflects that the petitioner is not involved in any other case.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

12.08.2025

Parveen Kumar

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No