

In the Court of Jatinder Pal Singh Khurmi, Additional Sessions
Judge, Hoshiarpur. (UID No.PB-00057).

CNR No.PBHO01-008871-2022

CIS Number: 3099 of 2022

Date of Order: 07.12.2022

Balbir Singh aged 42 s/o Jagdish Chand r/o Vill Garan, P.O. Gurial, Teh
Nurpur, District Kangra, Himachal Pradesh.

.....Applicants-accused.

Versus

State of Punjab.

.....Respondent.

FIR No.41 dated 30.06.2016

Under Sections 420,465,467,468,471 of IPC.

Police Station Talwara, Hoshiarpur.

(Application for anticipatory bail U/s 438 Cr.P.C).

Present: Sh. P.S. Ghuman, Counsel for applicants-accused.

Sh. Nitin Berry, Addl. P.P. for the State.

ORDER:

Applicant-accused Balbir Singh is seeking anticipatory bail in above mentioned FIR. It is pleaded that the applicant-accused have committed no offence and a false case has been registered against him by complainant As such, applicant-accused has been falsely involved in this case. The co-accused has filed writ-petition in which the direction was given to look into the matter and applicant has been implicated vide DDR no. 27 date d16.11.2022 after six years of registration of FIR. The police is raiding the house of applicant-accused and he is having apprehension of his arrest. The applicant-accused undertook to abide by terms of bail and prayed for granting them anticipatory bail in the event of his arrest.

2. Upon notice, ASI Om Parkash No.1200/HPR, from Police Station Talwara, District Hoshiarpur, has suffered statement that he has verified that this is the first anticipatory bail application of accused Balbir Singh and no

such bail application is either filed or pending in court of parallel jurisdiction or any other court or Hon'ble High Court. There is no case pending against the accused. He is not required for custodial interim.

3. Police record received. I have heard the arguments advanced by Learned Counsel for applicants-accused and also have gone through the record carefully and minutely.

4. Complainant had earlier moved complaint regarding fake diploma of DMLT sessions 2010-11. Now on the directions of Hon'ble High Court in the writ petition, applicant has been arrayed as accused. The contentions of the counsel that the applicant has been arrayed after 6 years and has joined the investigation and not required for custodial interrogation by the police. The said contentions cannot be appreciated as there are recordings in which it was admitted by Balbir Singh that he had given fake diplomas of DMLT to four persons earlier also and nothing happened. The allegations against the applicant are serious in nature, the applicant is playing havoc with the students by giving fake diplomas and playing with their careers. keeping in view of these facts, it is not a fit case where the benefit of anticipatory bail should be granted to the applicant-accused. Thus, this application filed by the applicant-accused Balbir Singh under Section 438 Cr.P.C, for grant of anticipatory bail is hereby dismissed, being without merits. Police record returned and file be consigned.

Announced in open Court:
Dated: 7th December, 2022.
'Diksha Rani'

(Jatinder Pal Singh Khurmi),
Addl. Sessions Judge, Hoshiarpur.
(UID No.PB-00057).

Balbir Singh Versus State.

BA No.3099-2022.

(CNR No.PBHO01-008871-2022).

Present: Sh. P.S. Ghuman, Counsel for applicants-accused.

Sh. Nitin Berry, Addl. P.P. for the State.

Police record received. Statement of ASI Om Parkash Recorded. Arguments heard. Vide my separate detailed order of even date, this application filed by applicants-accused Balbir Singh, under Section 438 Cr.P.C, for grant of anticipatory bail has been dismissed, as detailed therein. Police record returned and papers be consigned to the record room, after its completion.

Announced in open Court:

Dated: 7th December, 2022.

‘Diksha Rani’

(Jatinder Pal Singh Khurmi),

Addl. Sessions Judge, Hoshiarpur.

(UID No.PB-00057).