

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43735 of 2014 (O&M)
Date of decision: November 04, 2015

Sher Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Akashdeep Singh, Advocate,
Mr. Aman Pal, Advocate and
Mr. S.S. Dinarpur, Advocate, for the petitioners.

Dr. Sushil Gautam, DAG, Haryana.

Rajan Gupta, J.

CRM-34399-2014 in CRM-M-43735-2014:

This is an application for placing on record certain documents. Application is allowed as prayed for. Said documents are taken on record as Annexures P-4 to P-6 respectively. Registry to page mark the paper book accordingly.

CRM-M-43735-2014:

This order shall dispose of three Crl. Misc. Petitions bearing Nos.CRM-M-43735 of 2014, CRM-M-3259 of 2015 and CRM-M-30651 of 2015, filed by petitioners Sher Singh, Kuldeep and Amit alias Ankit respectively, under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioners under Sections 420/120-B IPC and Section 66-A of Information Technology Act at Police Station Sampla,

District Rohtak, vide FIR No.454 dated 30.11.2014.

Learned counsel for the petitioners submit that petitioners have nothing to do with the alleged offences and they have been implicated falsely in the present case. They submit that there is no cogent evidence against the petitioners and the police has been unnecessarily harassing them and complaints in this regard have also been made to the senior police officers. Thus, petitioners deserve concession of pre-arrest bail.

Prayer has been opposed by the learned State counsel on the ground that allegations against the petitioners are serious in nature. He has submitted that petitioners have failed to join the investigation despite repeated opportunities. Therefore, they are not entitled to concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

Allegations in the FIR are that on 30.11.2014, accused Vishal, Devender, Neeraj, Sumit, Abhinav alongwith the present petitioners namely, Ankit, Sher Singh alias Shera and Kuldeep had been selling answer-key of examination for Group-D service in Railway being conducted on that date. It was alleged that Vishal and Devender were present at the bus stand of village Assan and were supplying the answer key to the students who were appearing in the examination through their mobile phones. On this information, FIR was registered by SI Rattan Singh. A raid was conducted at the disclosed place by the police and both accused Vishal and Devender were arrested from the disclosed place.

Keeping in view the allegations against the petitioners, I am of the considered view that they are not entitled to concession of pre-arrest

bail. Custodial interrogation of the petitioners may be necessary to take the investigation to its logical end and effect recovery of mobile phones etc. All the petitions are without any merit and are hereby dismissed.

(RAJAN GUPTA)
JUDGE

November 04, 2015
'Rajpal'