

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

**CRM-M No.3592 of 2016 (O&M)
Date of Decision: 26.02.2016**

Bhupender

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ravinder Malik, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Narinder Singh.

JASWANT SINGH, J. (Oral)

Present 2nd petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner-Bhupender in case FIR No. 110 dated 04.05.2015, for the offences punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code and Section 66(A) of the Information Technology Act, registered at Police Station P.G.I.M.S., Rohtak, District Rohtak.

On a secret information regarding leaking of questions of All India Pre Medical Entrance Test (for short 'AIPMET') Examination, petitioner/accused-Bhupender along with three other non-applicants/co-accused persons, namely, Rajesh, Sanjeet and Ravi were apprehended in a Car at Rohtak, leading to the lodging of aforesaid FIR.

The entire execution of the crime was unraveled by the disclosure statement of the petitioner/accused-Bhupender.

During the investigation, it has come to surface that nine accused persons including one main accused-Roop Singh Dangi (who is yet to be

arrested) along with his co-accused/non-applicants, namely, Sunny, Rajesh, Sanjeet, Ravi, Sonu, Krishan, Naveen and Rakesh Gulia hatched the plan to leak the examination at the house of Roop Singh Dangi, fifteen days prior to the examination to be held on 03.05.2015.

Learned Counsel for the petitioner submits that the petitioner is in custody since 03.05.2015 and after completion of the investigations qua him, only 05 out of 58 prosecution witnesses have since been examined. He further states that most of the non-applicants/co-accused-Subash Shirivastava, Krishan @ Bok, Sandeep, Vijay Kumar, Sunny, Rajesh Bishnoi etc. have since been granted regular bail. It is further submitted that the case is triable by a Magistrate.

Learned State Counsel, assisted by ASI Narinder Singh, does not contest the custody period and the fact that rest of the co-accused have been granted regular bail, however, submits that the petitioner is the principal aide of the main accused-Roop Singh Dangi, who is yet to be arrested.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period and the fact that case is triable by a Magistrate and trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

February 26, 2016

Gagan

**(JASWANT SINGH)
JUDGE**