

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

**CRM No. M-13181 of 2017 (O&M)
Date of Decision: 28.04.2017**

Sudesh Kumar Gupta

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Gaurav Mohunta, Advocate for the petitioner.

Mr. C.S. Bakshi, Additional Advocate General, Haryana.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.314 dated 02.11.2015, under Sections 420/467/468 IPC, registered at Police Station PGIMS, Rohtak.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Assistant Registrar of Maharishi Dayanand University, Rohtak as regards certain grave irregularities having been committed in the Result Branch of the University. Allegations are that the present petitioner, who is a dismissed employee of the University in connivance with Sita Ram Sharma, Superintendent and Girish Rawat, employee of an outsourcing agency has got changed the Detailed Marks Sheets of 54 students of the B.Tech. examination held in December, 2014.

Even though, prosecution version is with regard to the change in the marks in the DMC certificates having been done illegally by the accused

persons including the petitioner in connivance with each other, yet the version set out by the complainant/University is that the marks had been illegally revised by the official of the University and that also “**single handedly**”. Clearly, as per the complainant/University, the main accused would be seen as Sita Ram Sharma, Superintendent.

Present petitioner was arrested on 04.11.2016.

Challan qua the present petitioner and Sita Ram Sharma already stands presented. Main accused Sita Ram Sharma has since expired.

For the reasons best known to the Investigating Agency, the beneficiaries of such alleged scam have been cited as witnesses instead of being nominated as accused.

The trial is still at the initial stage.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner, Sudesh Kumar Gupta be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Rohtak.

Disposed of.

28.04.2017

Harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |