

CRM-M-19212-2017

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

CRM-M-19212-2017

Date of Decision: 26.07.2017

Anoop Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Jaidka, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Anoop Kumar has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.293 dated 11.12.2016, registered at Police Station Civil Lines Bhiwani, District Bhiwani, under Sections 420 and 120-B IPC and Sections 379, 468, 471, 201 and 212 IPC and 66-D of I.T. Act, added later on.

Notice of motion was issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

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From the record, I find that as per the prosecution version, a candidate with name Narender Kumar bearing roll No.1510834447 was appearing in the Exam for the post of Clerk on 11.12.2016 in Evening Shift (3.00 P.M. To 4.30 P.M.). While he was in the room, the invigilator found a small chit of answer key for Set-A in carbon copy form. As per the allegations, the petitioner is one of the candidates appearing in the exam and has been nominated in this case at the instance of main accused.

In pursuance of the interim order dated 26.05.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 26.05.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

26.07.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No