

Sr. No.212

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8282 of 2017 (O&M)

Date of Decision:17.03.2017

Rajiv Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. K.S.Sidhu, Senior Advocate with
Mr. Surender Dhull, Advocate,
for the petitioner.

Mr. C.S.Bakhshi, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.904 dated 14.11.2015, under Sections 420/468/120-B of Indian Penal Code, Section 7/8/13 of Prevention of Corruption Act and Section 66 of I.T.Act, registered at Police Station City Jind, District Jind.

It is a case of alleged leakage of the HTET Level-3 question paper in relation to an examination which was slated for 14.11.2015.

Present petitioner was a Lecturer of History and had been assigned duty of invigilator for such examination at a particular examination centre.

Precise allegations are that the petitioner having hatched a criminal conspiracy with other co-accused extracted the question paper from a sealed cardboard box while the question paper was being carried from the treasury to the examination centre and thereafter flashed the answer keys by way of whatsapp to the prospective candidates. Further allegation is that the

petitioner in the capacity of a public servant had even accepted an amount of Rs.1 lakh as illegal gratification from the prospective beneficiaries. An amount of Rs.25,000/- as also a scooty is stated to have been recovered from him.

Petitioner was arrested on 01.10.2016.

Challan qua the present petitioner has already been filed. Charges are yet to be framed. The trial as such would take time to conclude.

It is uncontroverted that the examination in question was scrapped by the State Government and as such no appointments have resulted in pursuance thereto.

Petitioner has already faced incarceration for a period in excess of 05 months.

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

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

Disposed of.

17.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No