

**213-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-15588-2018

Date of decision: May 07, 2018

Akshay Behal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jasjit Singh Bedi, Senior Advocate with
Mr. Sonpreet S. Brar, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.130 dated 13.03.2018 registered for the offences punishable under Sections 419, 420, 467, 468, 471 of Indian Penal Code (for short, "IPC") at Police Station Sadar Jagraon, Ludhiana, Punjab.

Heard.

Petitioner is not named in the FIR. This case was registered on the basis of secret information to the effect that petitioner alongwith his associates indulged in leaking out the examination of International English Language Testing System (IELTS) after receiving huge amount from the candidates, they provide requisite information to the candidates with regard to paper of IELTS prior to conduct of examination. Petitioner was arrested and during the investigation, four passports were recovered and the statements of passport holders namely, Vikramjit Sharma, Hargobind Singh, Rana Randeeep Singh and Harjit Singh have been recorded. They have categorically stated that they did not appear in IELTS

examination. On enquiry of this court, ASI Janak Raj submitted that till date no evidence has been found to connect the petitioner with crime. However, he informed the court that the recovered passports shall be sent to the British Council and company known as IDP which conducts the examination to verify as to whether the aforesaid persons had ever appeared in said examination.

Keeping in view the facts of the case, this court deems it a fit case to extend the concession of the bail to the petitioner. Accordingly, this petition is allowed and petitioner be admitted to regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate subject to following conditions:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 07, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No