

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

Crl. Misc. No.M-5285 of 2017 (O&M)

Date of Decision: May 21, 2018

Sandeep

.....PETITIONER(s).

VERSUS

U. T. Chandigarh

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. J.S. Toor, APP for UT Chandigarh with
Ms. Raminder Gill, Advocate.

SURINDER GUPTA, J.(Oral)

Present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.128 dated 29.07.2016 registered for the offences punishable under Sections 409, 420 read with Section 120-B of Indian Penal Code, 8, 9, 13(1) (d) read with Section 13(2) Prevention of Corruption Act, 1988, at Police Station Sector-11, Chandigarh.

Heard.

Learned counsel for the petitioner submits that the petitioner has joined the investigation. The allegations against him are that he has given ₹7 lakhs to get the leaked paper of JBT/TGT exam. The petitioner was not even eligible to be selected. He had appeared in the exam only to

check his level of intelligence for such type of exams, fully knowing that he will not get selected. A person, who is not eligible is not supposed to pay ₹7 lakhs to get the leaked paper of competitive exam in advance.

Learned State counsel submits that petitioner has joined the investigation, which is still in progress and the police is verifying the antecedents of the petitioner.

Keeping in view the fact that petitioner was not eligible to be selected as JBT/TGT teacher even if he had cleared the exam, it is for the investigating agency to look into the veracity of the allegations against him and that whether he had parted a huge sum of ₹7 lakhs to get leaked paper of JBT/TGT exam.

In view of the above facts but without expressing any opinion on merits of the case, this petition is allowed and order dated 09.03.2017 is made absolute subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

May 21, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No