

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

CRM-M-54820-2018 (O&M)

Date of Decision:-17.12.2018

Rohit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mahender Singh Chahal, Advocate for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No.1093 dated 28.10.2018 at Police Station Hissar Sadar, District Hissar under Section 66(D) of Information Technology Act 2000 and Section 420 of Indian Penal Code, 1860.

The allegations, in nutshell, are that while the petitioner was taking examination i.e. Common Entrance Exam (CEE), the invigilator Subedar R.Arul Samy caught the petitioner Rohit son of Ramesh as well as three others namely Nadeem son of Quim Ali, Rohit Khatri son of Ramesh and Rahul son of Azad Singh, who were found in possession of four bluetooth devices and three SIMs, out of which one was broken, which they were possessing allegedly for the purpose of cheating.

The learned Counsel for the petitioner has submitted that, even if, the possession of bluetooth devices is taken to be correct, still there is no evidence to show that the same were being used for the purpose of cheating.

On the other hand, the learned State counsel has submitted that carrying of electronic and bluetooth devices is otherwise prohibited and the very possession itself shows that the same was for the purpose of cheating.

Having considered the rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars since the last more than 2 months and that the challan already stands presented, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted. The petitioner Sunil alias Rohit is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This petition stands accepted accordingly.

17.12.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No