

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26950-2019 (O&M)
Date of Decision:-8.7.2019

Sonu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Jeet Singh, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.55 dated 14.5.2019 registered at Police Station Dasuya, District Hoshiarpur under Sections 420 and 120-B of Indian Penal Code, 1860.

It is the case of prosecution that during the course of recruitment process of civil employees in Indian Army, 2688 candidates had appeared, who had initially been searched and made to sit in the examination. During the course of invigilation, one candidate namely Sukhvir Singh was checked, who was found to be carrying a mobile phone in his clip board. Additionally, a mini listening device and a dongle attached with a battery and SIM card reader connected via bluetooth were also found

from the right pocket of his trouser. On the basis of suspicion other candidates were also checked and during the course of search Satish was found to be carrying dongle battery, Sonu Singh son of Shamsheer Singh was also found to be carrying a dongle battery. Pardeep was also found to be carrying a dongle battery, Gurtej was found to be carrying a dongle battery and SIM card 4G of Vodafone company, Amit Kumar was found to be carrying battery, dongle SIM card reader, bluetooth connectivity, SIM card Airtel 4G and clip board, Shish Ram was found to be carrying clip board, dongle battery, SIM card reader, bluetooth connectivity, SIM card Vodafone 4G, Sonu (petitioner) son of Banni Singh was found to be carrying clip board dongle battery, Sunil was found to be carrying clip board, battery dongle, SIM card reader, bluetooth connectivity, SIM card Airtel 4G, Ravinder was found to be carrying clip board, Mini listening device, clip board dongle battery, Dinesh was found to be carrying clip board, dongle battery, Saurabh was found to be carrying camera 360 IPS company photron and Sunil Kumar @ Sushil Kumar was found to be carrying mini listening device.

The learned counsel for the petitioner has submitted that apart from the battery he was not found to be carrying any other instrument/equipment, which could be said to be helpful or could be used for the purpose of cheating and that in these circumstances, the petitioner deserves the concession of bail.

Opposing the petition, the learned State counsel has submitted that since the dongle battery was recovered from the petitioner, his complicity and his intention to cheat is evident and in these circumstances the petitioner

does not deserve the concession of bail. It has, however, been informed that the petitioner has been behind bars since the last more than one month.

In view of the facts and circumstances of the case and while noticing that the petitioner has been behind bars since the last more than one month and no other recovery is to be effected from the petitioner, in my opinion, it is a fit case for grant of bail. The petition, as such, is accepted and the petitioner Sonu son of Banni Singh is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands accepted accordingly.

8.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No