

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

CRM-M-28318-2019 (O&M)
Date of Decision:-11.7.2019

Jeevan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwaljeet 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.51 dated 4.5.2019 registered at Police Station Dasuya, District Hoshiarpur under Sections 419, 420 and 120-B of Indian Penal Code, 1860.

The FIR was lodged at the instance of Jaswant Singh, Incharge, Recruitment Cell, Army Head Quarters, Uchi Bassi, Police Station Dasuya, District Hoshiarpur, wherein it has been alleged that on 4.5.2019 during the course of recruitment process pertaining to a recruitment being undertaken by Army, it was noticed that certain persons were impersonating during physical test of the candidates. It was found that Kuldeep Kumar was appearing in place of Amarpal; Omvir had appeared in place of Vikas Yadav; Jeevan (petitioner) had appeared in place of Sandeep Singh and Prem Singh

@ Vijay had appeared in place of Shiv Singh. The aforesaid impersonators were arrested at the spot on 4.5.2019.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since nothing is to be recovered from the petitioner he is entitled to be released on bail. It has further been submitted that another co-accused Kuldeep Kumar, who is identically situated, has already been granted bail by the Special Court, Hoshiarpur and in these circumstances, the petitioner deserves the concession of bail on grounds of parity as well.

The learned State counsel has, however, opposed the petition while submitting that serious allegations are levelled against the petitioner and that he had been caught red handed and in these circumstances, he does not deserve the concession of bail.

Having considered rival submissions addressed before this Court and while noticing that nothing is to be recovered from the petitioner and that the petitioner has been behind bars since the last more than two months, the petition is accepted and the petitioner Jeevan 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.

11.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No