

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-28506 of 2019
Date of Decision: 12.07.2019

Ghansham @ Ghanshan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Arpinder Singh Sidhu, DAG, Punjab.

SURINDER GUPTA, 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.56 dated 14.05.2019 registered for offences punishable under Sections 419, 420 and 120-B of Indian Penal Code (for short, "IPC") at Police Station Dasuya, District Hoshiarpur.

Heard.

Notice of motion.

On asking of the court, Mr. Arpinder Singh Sidhu, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of prosecution, the petitioner had applied for his appointment in Civil Supplies Department of Army for which physical test was taken. Candidates were called on 13.05.2019 for written test. The petitioner appeared in the written test and it was found that his thumb

impressions did not talley with thumb impressions taken at the time of physical test. In enquiry, it transpired that some other person had appeared on his behalf in the physical test.

The petitioner was arrested in this case on 14.05.2019 and after completion of investigation challan against him has been presented in Court.

Without expressing any opinion on merits of the case but keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Ghansham @ Ghanshan is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 12, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No