

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

CRM-M-23491-2021 (O&M)

Date of Decision:- 12.10.2021

Deepak Kundu

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhinay Sharma, Advocate with
Mr. Nevedita, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by ASI Narinder.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.474, dated 10.9.2020, Police Station Sector 5, Panchkula, under Sections 120-B, 420, 467, 468, 471 IPC.
2. The allegations, in nutshell, are that the petitioner was working on contract basis as Data Entry Operator with HARTRON and while working as such he had carried out alteration in the test sheet of 14 candidates who had taken departmental test for promotion.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and has been made scapegoat that he cannot be said to be having complete domain over the computer in which the record was being maintained pertaining to the test in question.
4. Opposing the petition, learned State counsel has submitted that since it was pursuant to a disclosure statement made by the petitioner that a computer had been recovered which contained the entire data, his complicity is clearly evident. It has been submitted that it is the petitioner himself who was feeding the data in the computer and it is the petitioner who would be having the password of the computer and as such no other can be held responsible for the same other than the petitioner. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 9 ½ months and that he is not involved in any other case. It has also been informed that although challan has been presented but charges are yet to be framed and as many as 13 PWs have been cited.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case but while noticing that the petitioner has been behind bars for a substantial period and the trial has not even commenced till date, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to

the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty
Magistrate concerned.

12.10.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No