

In the High Court of Punjab and Haryana at Chandigarh

118+257

CRM-M-41256-2021 (O & M)

Date of Decision: December 22, 2021

AYJAZ AMIN BASU ALIAS AYJAZ AMEEN

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.A.P.S. Deol, Senior Advocate with
Mr.Vishal Lamba, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.433 dated 07.08.2021, under Sections 420, 467, 468, 471, 120-B, 201 IPC and Section 66 of the Information Technology Act, 2000 (Section 201 IPC and Section 66 of the IT Act were added later on), registered at Police Station City Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 03 co-accused namely Naveen, Sandeep and Gautam have been specifically named and they have been granted regular bail by the trial Court. It is alleged that the paper for the recruitment to the post of Constable had been leaked and the examination had to be cancelled. The paper was being printed at a Printing Press at Jammu and co-accused Ravinder, who was employed in the Printing Press, had leaked the paper to co-accused Muzaffar Ahmed. Muzaffar Ahmed in his statement has implicated the petitioner on the allegation that the question papers were to be sold to the petitioner and the petitioner in turn had to have them sold further. He, however, contends that there is no allegation that any money was actually paid to the petitioner or any other person. He further contends that neither any money nor any

incriminating documents have been recovered from the petitioner. The petitioner is serving as a Statistical Officer in the Government of Jammu & Kashmir and does not have any criminal antecedents. He is in custody for almost 04 months. He further contends that co-accused namely Mukesh Kumar and Nazir Ahmad Khande have been granted the concession of regular bail by this Court in CRM-M-42172-2021 and CRM-M-42506-2021 on 29.11.2021.

Learned State counsel upon instructions from Sub Inspector Sombir states that the petitioner was the main conspirator in the paper leak along with the co-accused. Call details of the petitioner's mobile phone indicates that he was in touch with co-accused Muzaffar Ahmed. The petitioner was also named in the statement of co-accused Jitender. It has been found in the investigation that he was to sell the paper for a sum of ₹60 lacs. Two mobile phones have been recovered from the petitioner. He further contends that challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when the petitioner is in custody for almost 04 months, co-accused have been granted bail, he is not involved in any other criminal case, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

December, 22, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No