

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-534-2022

Date of decision : 14.01.2022

MANOJ KUMAR

..... Petitioner

VERSUS

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Shokeen Singh Verma, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.713 dated 02.11.2021 under Sections 419, 420, 464, 467, 468, 511 and 120-B IPC and Section 8(1) of the Haryana Public Examination (Prevention of Unfair Means) Act, 2021, registered at Police Station City Narnaul, District Mahendergarh.

Learned counsel for the petitioner submits that the petitioner did not appear or impersonate anyone in the examination as being alleged in the FIR. Rather, the petitioner has not been named in the FIR and it is only during the investigation that he was alleged to have introduced Rahul with Ravinder (other co-accused) for the purpose of impersonation in the examination. Learned counsel for the petitioner further submits that as the investigation is already over and challan has already been presented, and the allegations alleged against the petitioner that he introduced Rahul with Ravinder, is yet to be proved during trial, the petitioner may kindly be granted the concession of regular bail as the petitioner undertakes not to influence the trial or the witnesses in any manner.

Learned State counsel submits that the allegations against the petitioner are serious as he was the one, who convinced Rahul to impersonate a

candidate in the examination though, nothing has been brought to his notice that the petitioner was present in the examination hall. He further concedes that the petitioner was not named in the FIR and his involvement only came during the investigation by way of a disclosure statement of co-accused.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the allegations against the petitioner is that he convinced Rahul to impersonate a candidate who was appearing in the examination and the said allegation is yet to be proved during the trial and keeping in view the pandemic of Covid-19, the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial especially when the learned counsel for the petitioner has undertaken that in case the petitioner is extended the concession of regular bail, he will not influence the trial or the witnesses in any manner.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

14.01.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No