

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

CRM-M-1784-2022
Date of Decision:-24.1.2022

RAJINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Hitesh Ghai, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

FIR No.170 dated 23.8.2021 registered under Sections 420,
467, 468, 471, 120-B IPC and Sections 66, 66(C) of Information
Technology, Act, 2000 at Police Station Khanna City-2 District Khanna.

The counsel for the petitioner contended that the petitioner has
been falsely implicated in the present case and was not named in the FIR. It
is further contended that no incriminating article was recovered from the
possession of the petitioner, who is already in custody for the last more than

four months and is having no criminal history. Counsel for the petitioner has sought parity with co-accused Navjot Kaur @ Navjot Kaur Saroan, who has already been granted regular bail by the Co-ordinate Bench of this Court.

The bail application is contested by the State counsel, who submitted that the petitioner is facing serious charges that he along with other accused tried to temper with the documents of the candidates to give them undue benefit in the written examination, however the State counsel did not dispute the factual position. State counsel further submitted that after completion of investigation challan has been presented against the accused persons.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

Admittedly, the petitioner was not named in the FIR and nothing incriminating was recovered from his possession by the police. The petitioner is in custody for the last more than four months and he is not facing any other criminal case as is clear from the custody certificate.

After completion of investigation, challan was presented against the petitioner & other accused and it will take time for conclusion of the trial due to prevalent COVID-19 situation. Moreover, co-accused Navjot Kaur @ Navjot Kaur Saroan, who is also facing similar charges has already been granted regular bail by this Court vide order dated 17.12.2021.

Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the

case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

24.1.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No