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

CRM-M-14493-2022

Date of decision:06.04.2022

HARJINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. N.K. Manchanda, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

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**SURESHWAR THAKUR, J. (ORAL)**

1. In FIR No.72 of 12.03.2018, registered at Police Station City Tarn Taran, District Tarn Taran, offences constituted under Sections 419, 420 of IPC, 1860, are embodied.

2. The present bail petitioner, through impersonating the identity, and, personality of the examinee concerned, who otherwise was eligible to become admitted into the examination centre concerned, rather appeared on behalf of the original candidate, at the examination centre, located at the Educational Institution concerned. The present bail petitioner was in the process of completing the examination papers concerned, when he became nabbed, by the Flying Squad of the Punjab School Education Board. The subject paper he was taking related to English.

3. The learned State counsel submits, that the answer sheets of the attempted to be written subject (supra), has been impounded at the examination centre concerned, by the head of the Flying Squad concerned.

4. Since the impounding of the answer sheets is a documentary evidence, for may be sustaining the charge, as, may become drawn against the present bail petitioner, after a report being preferred against him, by the

investigating officer concerned, before the learned trial Magistrate concerned. Therefore, no other incriminatory evidence apart from the afore is required to be either collected nor is required to be ordered to be ensured to be effected at the instance of the bail petitioner, to the investigating officer concerned.

5. Even otherwise, the ill practice or malpractice of impersonation by the present bail petitioner, was for ensuring the success of the eligible candidate concerned, in the subject paper of English rather appertaining to the matriculation examination conducted by the Punjab School Education Board. Therefore, when the above does not appertain to an attempt being made on the part of the present bail petitioner to taint any selection process appertaining to selections being made to public posts. Consequently, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the present bail petitioner.

6. Consequently, the bail petition is allowed, and, the petitioner is admitted to anticipatory bail, and, the investigating officer may not arrest the bail petitioner, however, subject to his furnishing personal, and, surety bonds in the sum of Rs.50,000/- each, to the satisfaction of the arresting officer, and, also subject to his rendering co-operation to him, in the investigations to be carried into offences mentioned in the present FIR. In addition, he shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

7. Dasti copy.

**(SURESHWAR THAKUR)**  
**JUDGE**

**06.04.2022**

Ithlesh

Whether speaking/reasoned:-  
Whether reportable:-

Yes/No  
Yes/No