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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26117-2022

Date of Decision: June 09, 2022

Vikas

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Shubham Kaushik, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.704, dated 04.09.2019, under Sections 419, 420 IPC, registered at Police Station City, Bhiwani, District Bhiwani.

It has been contended by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has submitted that petitioner has duly appended his photograph which was counter-signed by the gazetted officer and thus there was no possibility of impersonating of the petitioner by any one else. He submits that petitioner has no criminal antecedents and he is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Kirpal Singh Thakur, AAG, Haryana accepts notice on behalf of the respondent-State and on instructions from ASI Narinder Kumar, has vehemently opposed the prayer made by learned counsel for the petitioner. He submits that in all there are

22 accused in this case out of which 19 have already been arrested, one has expired and remaining 02 accused including the petitioner are yet to be arrested. He has further submitted that the present FIR was lodged by the Centre Superintendent of a Government Senior Secondary School, when this conspiracy was brought to his notice.

After hearing the counsel for the parties and perusing the record, it is apparent that prima facie, the case is of impersonation of the candidates in the exam. For unravelling the allegations made in the FIR, a thorough and fair investigation is necessary for which custodial interrogation of the petitioner is required. Granting anticipatory bail to the petitioner would definitely scuttle the ongoing investigation.

Keeping in view the provisions of Section 438(1) Cr.P.C. and the law settled, the petitioner does not qualify for extraordinary relief of anticipatory bail.

Resultantly, the petition being devoid of any merit is hereby dismissed.

June 09, 2022
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(RAJESH BHARDWAJ)
JUDGE

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

Yes/No
Yes/No