

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-31547-2022 (O&M)
Date of Decision:-13.9.2022

Virender ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashwani Bhardwaj, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 433, dated 07.8.2021, Police Station Kaithal City, District Kaithal, under Sections 420, 467, 468, 471, 120-B, 201 IPC and Section 66 of Information Technology (Amendment) Act, 2008.
2. The State has filed reply, which is taken on record. A copy of the same is furnished to learned counsel for the petitioner.
3. The allegations, in nutshell, are to the effect that a question paper and answer key pertaining to recruitment in Haryana Police had been got leaked and sold off to various candidates at huge price.

4. Learned counsel for the petitioner submits that he is nowhere named in the FIR and came to be nominated as an accused on the basis of a disclosure statement made by a candidate.
5. On the other hand, the learned State counsel has submitted that no doubt, the petitioner is not named in the FIR but sufficient evidence has been collected against him during the course of investigation inasmuch as when a candidate namely Amit Kumar was arrested by the police, he suffered a disclosure statement on 21.5.2022 to the effect that it was Virender Singh who had introduced Amit Kumar and Sumit with Naveen and that Naveen on the asking of Virender Singh provided him the answer key and question paper on 6.8.2021 at Nav Bal Niketan School, village Majra, which was being run by Virender Singh.
6. The learned State counsel has informed that the petitioner has, however, joined investigation and that his custodial interrogation would be required to elicit information from the petitioner regarding other candidates which he has not furnished. It has, however, been submitted that the petitioner is not involved in any other case.
7. This Court has considered rival submissions addressed before this Court.
8. Having regard to the facts and circumstances of the case and that the petitioner has been nominated on the basis of a disclosure statement and has otherwise joined investigation, the petitioner would deserve the concession of anticipatory bail. The contention of learned State counsel that information regarding other candidates is still to be elicited which he has not furnished cannot be made a ground for declining anticipatory bail.

9. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 26.7.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

13.9.2022

kamal

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No