

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

CRM-M-33563-2022 (O&M)
Date of Decision:-13.9.2022

Surender ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Narender Kumar Sharma, Advocate with
Ms. Suman Sharma, 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 co-accused Navneet Sharma.
5. The learned State counsel has, however, opposed the petition and has submitted that there is sufficient evidence to show that the petitioner was actively involved in the entire scam and that during the course of investigation, evidence has been collected to show that the petitioner Surender had introduced four candidates to Navneet and that telephonic conversation had taken place between the petitioner and Navneet and that the deal had been finalized for an amount of ₹ 28 lacs. The learned State counsel has further submitted that the custodial interrogation of the petitioner would be required to elicit information about the names of the four candidates with whom he had struck a deal for leaking the question paper and answer key for an amount of ₹ 28 lacs. It has, however, been informed that the petitioner has joined investigation and is otherwise not involved in any other case.
6. This Court has considered rival submissions addressed before this Court.
7. 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 has not been furnished by petitioner cannot be made a ground for declining anticipatory bail.
8. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 1.8.2022 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	(Gurvinder Singh Gill)	
kamal	Judge	
	Whether speaking /reasoned	Yes / No
	Whether Reportable	Yes / No