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

CRM-M-35613-2022

Date of decision: 10.08.2022

SONU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Jai Shri Kaushik, Advocate for
Mr. Ajay Chaudhary, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.251 of 03.07.2022, registered at Police Station Bilaspur, District Yamuna Nagar, wherein offences constituted, under Sections 120-B, 419, 420, 467, 468, 471 of IPC, are embodied.

2. Co-accused Monu Ram was allotted Roll No.1749521229, by the recruiting agency, for his taking examination for recruitment to the post of 'FCI CAT-4 Watchman' at Ganpati Convent School, Bilaspur. However, Monu Ram did not take the examination, but permitted his brother Deepak Kumar to take the examinations in his place, and, the above was done through co-accused Deepak Kumar forging the above roll numbers, and, also the admit card of Monu Ram, who was otherwise entitled to participate in the relevant examination.

3. Be that as it may, since the attempt of Deepak Kumar to take the examination in place of the present bail petitioner, did not succeed, as he was arrested, at the crime site, and, also the examination sheets were seized, at the crime site. Therefore, in the wake of the above, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the present bail petitioner.

4. The further reason which constrains this Court, for admitting the present bail petitioner, to pre-arrest bail, is comprised in the factum, that at this stage, no evidence has been adduced by the prosecution, suggestive that in the event of the bail petitioner being admitted to anticipatory bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

5. In consequence, the present petition is allowed, and, in the event of the arrest of the bail petitioner, 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 the offences mentioned in the present FIR, as and, when summoned through a written hukamnama served upon him. Moreover, also with an undertaking, that he shall not tamper with prosecution evidence, and, nor shall influence the prosecution witnesses.

(SURESHWAR THAKUR)
JUDGE

10.08.2022

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Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No