

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

(1) **CRM-M-36602-2022 (O&M)**

Rakesh ...Petitioner

Versus

State of Haryana ...Respondent

(2) **CRM-M-36903-2022 (O&M)**

Pardeep ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision:- 13.9.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukhcharan Singh Gill, Advocate
for the petitioner in CRM-M-36602-2022.

Mr. Shobit Phutela, Advocate with
Mr. Chirag Mehta, Advocate
for the petitioner in CRM-M-36903-2022.

Mr. Arun Beniwal, DAG, Haryana.

GURVINDER SINGH GILL, J.

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.433 dated 7.8.2021 under Sections 420, 467, 468, 471, 120-B, 201 IPC and Section 66 of the Information Technology (Amendment) Act, 2008 at Police Station Kaithal City, District Kaithal.

2. The State has filed replies, which are taken on record. A copy of the same are furnished to learned counsel for the petitioners.
3. At the time of issuance of notice of motion on 22.8.2022, the following order was passed :

“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 City Kaithal, District Kaithal, under Sections 420, 467, 468, 471, 120-B IPC (Section 201 IPC and Section 66 of IT Act added later on).

Learned counsel for the petitioner(s) submits that none of them were candidates in the recruitment process for recruitment of male candidates for Haryana Police. Learned counsel representing petitioner- Rakesh Sharma has submitted that the allegations against him are to the effect that he had conspired with co-accused Navneet Sharma for purchase of the question paper and answer key for an amount of Rs.6 lakhs. It has been submitted that said Navneet Sharma had already been granted regular bail by the trial Court.

Learned counsel representing petitioner-Pardeep has submitted that there is no allegation or evidence against him in respect of any monetary transaction and that he was just a candidate in the recruitment process. Learned counsel has submitted that a large number of other identically situated co-accused namely Ved Parkash, Jitender Kumar, Muzafar Ahmed Shan, Narender Khanna, Mohd. Afzal Dar, Ramesh Kumar, Ramesh Kumar @ Ramesh @ Ramesh Chander, Nihal Singh, Naveen Kumar, Kuldeep, Raj Kumar @ Raju, Kailash Vaishth, Sandeep alias Sandeep Kumar, Kuldeep Singh and Gatum who were also candidates have already been granted bail vide order dated 13.7.2022.

Notice of motion for 13.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

A photocopy of this order be placed on the connected case.”

4. Learned State counsel has informed that pursuant to interim directions issued by this Court the petitioners have since joined investigation and are not required for any custodial interrogation.
5. Having heard the learned counsel for the parties and bearing in mind the facts and circumstances of the case and also that the petitioners have already joined investigation and are not required for any custodial interrogation, the present petitions are accepted and the interim directions issued by this Court vide order dated 22.8.2022 are hereby made absolute, subject to the condition that the petitioners 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

Whether speaking /reasoned
Whether ReportableYes / No
Yes / No**(Gurvinder Singh Gill)
Judge**