

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

CRM-M-37552-2022 (O&M)
Date of Decision:-13.9.2022

Rajbir Dhaka ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Sanghi, 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 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 reply, which is taken on record. A copy of the same is furnished to learned counsel for the petitioner.
3. At the time of issuance of notice of motion on 24.8.2022, 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 Kaithal City, District Kaithal, under Sections 420, 467, 468,

471, 120-B, 201 IPC and Section 66 of Information Technology (Amendment) Act, 2008.

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.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and came to be nominated on the basis of a second disclosure statement of Manjit Ahlawat who stated that the petitioner had introduced three prospective candidates to Manjit Ahlawat for the purpose of sale of question paper/answer key @ Rs.8 lakhs per candidate. Learned counsel submits that even if the said disclosure statement is taken to be correct, there is nothing to show that the petitioner had ever benefitted from the alleged transaction. It has further been submitted that a large number of co-accused have already been granted bail by this Court and that some petitions are pending in this Court for 13.9.2022.

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.

To be taken up along with CRM-M-36602-2022.”

4. Learned State counsel has informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and is 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 petitioner has already joined investigation and is not required for any custodial interrogation, the present petition is accepted and the interim directions issued by this Court vide order dated 24.8.2022 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