

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

Date of Decision: 23rd February, 2022

1. CRM-M-48868-2021

Sombir and others

...Petitioners

Versus

State of Haryana

...Respondent

2. CRM-M-1214-2022

Navneet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Surinder Singh Duhan, Advocate (in CRM-M-48868-2021)
Mr. Amarjit Singh Sidhu, Advocate (in CRM-M-1214-2022)
for the petitioner(s).

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. These petitions, under Section 439 Cr.P.C., have been filed seeking regular bail in FIR No. 210, dated 29th August, 2021, under Sections 419, 420, 467, 468, 201 and 120-B (Sections 467, 468 and 201 IPC were added later on), registered at Police Station Bhondsi, District Gurugram.

3. As per the case set up, the petitioners while appearing for examination for recruitment as Constable in BSF, were using prohibited material like mobile phone and blue-tooth. The allegation against Manoj Kumar is that apart from adopting illegal means of copying, he was impersonating for Pankaj.

4. Learned counsel for the petitioners submits that Sombir, Jugvinder @ Joginder and Navneet are in custody since 29th August, 2021, whereas Manoj Kumar is in custody since 30th September, 2021, investigation is complete and challan stands presented. It is argued that the petitioners are not involved in any other case.

5. Learned State counsel opposes the prayer and submits that the petitioners were appearing in an examination to become a part of the disciplinary force and their conduct speaks for itself. She, on instructions from ASI Krishan, fairly submits that investigation is complete and the petitioners are not involved in any other case.

6. Without commenting upon merits of the case, considering that no further recovery is to be made from the petitioners, though the investigation is complete conclusion of trial is likely to take time, the petitioner have no criminal antecedents, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. These petitions are allowed.

8. It is clarified that observations made here-in-above shall not be construed as an expression of opinion on the merits of the case.

9. Needless to say that in case there is a misuse of the concession of bail the State would be at liberty to avail the remedies in accordance with law.

(AVNEESH JHINGAN)
JUDGE

23rd February, 2022

P Kapoor	Whether Speaking/Reasoned:	YES/NO
	Whether Reportable:	YES/NO