

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

I.

CRM-M-51990-2021

Date of Decision: 3.3.2022

Ankit Kumar alias Ankit Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

II.

CRM-M-3817-2022

Vikas Kumar @ Vicky

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Tarunveer Vshist, Advocate,
for the petitioner in CRM-M-51990-2021

Mr. Sanjeev Majra, Advocate
for the petitioner in CRM-M-3817-2022.

Mr. C.L.Pawar, Sr. DAG, Punjab.

KARAMJIT SINGH, J.

This common order shall dispose of the above noted two petitions as they arose out of the same FIR.

Both the petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners namely Ankit

dated 23.8.2021 registered for the offences punishable under Sections 420, 467, 468, 471, 120-B of Indian Penal Code (for short, "IPC") and Sections 66, 66(C) of Information Technology Act at Police Station City-2, Khanna, District Ludhiana.

Counsel for the petitioners has submitted that in the present case, FIR was registered on the basis of secret information received by Inspector Vinod Kumar to the effect that the petitioners and Rakesh Kumar, Jatinder Kumar and Amit Kumar and some other unknown persons are taking hefty amount from the candidates appearing in the competitive examination conducted by Government of Haryana for appointment to various posts on the pretext that they would help the said candidates in the aforesaid competitive examination by using electronic devices and they have also forged Admit cards and other documents to help such candidates. On the basis of the secret information, the police intercepted one Swift Dzire Car bearing No.HR51-AS-6207 and both the petitioners who were traveling in car were arrested and 5 Walky Talky sets, 5 batteries and 4 chargers of walky talky sets, 4 mobile phone chargers, adapters, two SIM cards, 3 ear phones, 4 transmitters etc. along with some Admits cards of about 25 candidates were recovered from the said car.

Counsel for the petitioners further contended that the petitioners are falsely implicated in the present case and that investigation has been completed and now the petitioners are lodged in judicial custody and are not required by the police for any purpose in the present case.

The present petitions have been contested by the counsel for the State who submitted that both the petitioners are facing serious charges. At

that the petitioners are in custody since the date of registration of FIR and that investigation in the present case has been completed.

I have considered the submissions made by the counsel for the parties.

On query being put to the counsel for the State, he admitted that till date, no official of Haryana Government was associated during the investigation of the present case to ascertain as to whether any mal practices were detected on behalf of the petitioners in the competitive examination recently conducted by State of Haryana.

It will take time for conclusion of the trial which is yet to commence. So, no purpose is going to be served by keeping the petitioners in custody for any longer period.

In view of the above, without commenting on the merits of the case, both petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 3 , 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No