

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-54674-2021 (O & M)

Date of decision: 01.04.2022

Gyanender

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jagjeet Beniwal, Advocate, for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The petitioner seeks grant of the anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.671 dated 13.10.2021 under Sections 465, 468, 419, 420 and 120-B IPC registered with Police Station Sector 7, Faridabad, District Faridabad.

On 29.12.2021, the following order was passed by this Court:-

“The prayer is for the grant of anticipatory bail to the petitioner in case FIR No.671 dated 13.10.2021 for offences punishable under Sections 465, 468, 419, 420 and 120-B IPC, registered with Police Station Sector 7, Faridabad, District Faridabad.

The allegations in the FIR are that one Sunil Dutt impersonated the original candidate-Harish, as a candidate for an online examination, and was apprehended at the spot. Subsequently, Sunil Dutt and the original candidate Harish disclosed the name of the present petitioner-Gyanender as also being involved in the offence in question.

Learned counsel for the petitioner states that other than the disclosure statement of the co-accused, there is no

admissible evidence as against the petitioner to inculcate him in the offence in question.

Notice of motion.

Mr. Saurabh Girdhar, AAG, Haryana, who is present in court, accepts notice on behalf of the respondent-State. He states that there are call records between the petitioner and the other co-accused to show their conspiracy. He, however, admits that the challan has been presented against the other co-accused, one of whom has been granted the concession of regular bail.

After hearing learned counsel for both sides, the petitioner is directed to join investigation on 14.01.2022.

In the meanwhile, in the event of his arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 16.03.2022..”

However, learned State counsel submits that the petitioner has joined investigation in terms of order dated 29.12.2021 and is not required for custodial interrogation.

In this view of the matter, interim order dated 29.12.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

April 01, 2022
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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