

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

**CRM-M-57119-2022
Date of decision: 09.12.2022**

Harnek Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. J. S. Bhandohal, Advocate
for the petitioner.

Mr. Navneet Singh, DAG, Punjab.
(on advance notice)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No. 273 dated 30.12.2021, registered under Sections 417, 419, 468, 471, 120-B of the IPC at Police Station Mataur, District SAS Nagar.

The Registry has raised an objection that this is the second petition, filed by the petitioner seeking anticipatory bail, however, in the head note of this petition, the same is mentioned as the first petition. The earlier petition, bearing CRM-M-3660-2022, was dismissed as withdrawn on 21.03.2022.

Learned counsel for the petitioner has argued that there is no direct allegation against the petitioner and the petitioner was nominated on the disclosure of the co-accused.

Learned State counsel has opposed the bail on the ground that the anticipatory bail application, filed by co-accused Shimla Devi was

dismissed by this Court, by passing a detailed order on 01.02.2022 in CRM-M-3604-2022. The operative part of the order reads as under:

“Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of the Deputy Superintendent of Police, while conducting the recruitment examination for the post of Constable (District & Armed Cadre) in Punjab Police, by the Central Recruitment Board, M/s.TCS iON, which was conducting the exam, has lodged a complaint that neither the biometric nor photograph of the candidate matched with the candidate, who is appearing at the time of physical test. The allegations against the petitioner are that she appeared in place of her sister Seema Rani, who was a candidate and qualified the written test and later on, when the physical test was conducted, it was detected in the biometric that in fact, Seema Rani has not appeared along with the other accused namely Mangal Singh, Narinder Singh, Magandeep Singh, etc. Apparently as per the record, photograph and biometric of the attendants did not tally with the aforesaid candidates.

Counsel for the petitioner has also submitted that the petitioner is only a matriculate and there is no evidence that she has appeared in place of Seema Rani.

Counsel for the State has argued that not only the evidence of biometric and physical verification of the documents prove that the petitioner appeared in place of Seema Rani but also when Seema Rani was arrested, it has come in her own disclosure statement that the petitioner, who is her real sister, impersonated her while giving the written examination for the recruitment of Constable.

After hearing the counsel for the parties, considering the serious allegations against the petitioner,

I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.”

Learned State counsel has submitted that a period of about 09 months has lapsed since the dismissal of the first bail application of the petitioner, however, he has not yet surrendered either before the Court or before the Investigating Officer, so as to complete the investigation.

Learned State counsel further submits that the allegations against the petitioner are that he has impersonated as Mangal Singh for a consideration of Rs. 3 Lakh and also as Narinder Singh in the examinations, which were conducted in shifts for recruitment of Constables.

After hearing learned counsel for the parties and considering the fact that the first anticipatory bail application of the petitioner was dismissed around 09 months back and since then, he is evading his arrest and also in view of the fact that there are serious and direct allegations against him, this Court finds no ground to grant him any relief.

In view of the same, the present petition is dismissed.

09.12.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No