

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57282-2023
Decided on : 07.12.2023

Monu Sangwan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.363 dated 21.10.2023 under Section 8(4) of Haryana Public Examination (Prevention of unfair means) Act, 2021 and Sections 120-B, 419 and 420 IPC registered at Police Station Sadar Mahendergarh District Mahendergarh.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand for allegedly arranging a person for taking examination of CET D Group exams in place of a candidate namely Mohan. Learned counsel submits that the petitioner's name surfaced in a disclosure statement allegedly made by the impersonator Surender, who stated that he had been asked to take examination by the petitioner and co-accused Navneet in place of Mohan for which he had been assured an amount of Rs.2

lakhs. Learned counsel further submits that the disclosure statement on the basis of which he has been nominated as an accused, has very weak evidentiary value and furthermore, in view of the nature of allegations levelled against him, his custodial interrogation would not be required. It has also been submitted that the petitioner is willing to join the investigation and cooperate with the investigating agency.

3. Heard learned counsel and perused the relevant material on record including the FIR.

4. A perusal of the material on record reveals that the petitioner comes across as a habitual offender as previously also another FIR No.422 dated 15.09.2022 under Section 8(1) of Haryana Public Examination (Prevention of unfair means) Act, 2021 and Sections 120-B, 419, 420, 467, 468 and 471 IPC stands registered against him. This Court, therefore, does not deem it fit to extend the extra-ordinary concession of anticipatory bail to the petitioner as his custodial interrogation would definitely be required to unearth the entire racket. Accordingly, the present petition stands dismissed.

5. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

07.12.2023
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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No