

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-3254-2024 (O&M)
Date of Decision:-29.1.2024

Rahul ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.K. Bagri, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, Asst. Advocate General, Haryana

FIR No.	Dated	Police Station	Section/s
710	21.10.2023	City Sirsa	120-B, 419, 420, 467, 468, 471 of Indian Penal Code and Section 8(1) of Haryana Public Examination (Prevention of Unfair Means) Act, 2021

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The allegations, in nutshell, are that the petitioner had impersonated in place of Bant Singh and had appeared in CET Examination. However, the petitioner was caught red-handed.
3. Learned counsel for the petitioner submitted that in the present case investigation already stands concluded and since the trial has not even commenced till date, he deserves to be released on bail.

4. Opposing the petition, learned State counsel has submitted that since it is a case where the petitioner was caught red-handed while impersonating in place of another candidate namely Bant Singh and was appearing in his place in a competitive examination, complicity of the petitioner is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3 months and 6 days. It has also been informed that the petitioner is not involved in any other case. Learned State counsel has informed that none out of the cited 13 PWs has been examined.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case or as regards veracity of allegations levelled against the petitioner, but having regard to the custody of the petitioner i.e. about 3 months and 6 days and that the trial has not even commenced till date and as many as 13 PWs have been cited and also that the petitioner is not involved in any other case, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to consume time. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.1.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No