

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-6701-2024
Date of Decision : March 14, 2024

NARENDER KUMAR -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sant Lal Barwala, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. On 14.02.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

*“1. On the last date of hearing, i.e. 08.02.2024, the hereinafter
extracted order was passed by this Court:-*

*“1. Through the instant petition, as instituted under
Section 438 of the Cr.P.C., the petitioner has sought the
concession of anticipatory bail, in case FIR No.811 dated
21.10.2023, under Sections 419 and 420 of the IPC
(Sections 467, 471, 188 and 120-B of the IPC, and, Section
8(1) of Haryana Public Examination (Prevention of Unfair
Means) Act, added subsequently), registered at P.S. City
Hansi, District Hansi.*

*2. The genesis of the present FIR is embedded in the
complaint made by one Renu Bansal, Centre
Superintendent of S.D. Kanya Senior Secondary School,
Hansi, wherein, allegations qua impersonation of a
candidate in CET Examination 2023 were levelled.*

*3. A perusal of the order dated 01.02.2024, whereby, the
learned Sessions Judge, Hisar, has declined the relief of*

anticipatory bail to the petitioner, reveals that, co-accused Vikas was found impersonating co-accused Parmod, and that, the petitioner is the main kingpin of the said crime.

4. Notice of motion.

5. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana, and, he is directed to file a specific reply, detailing therein, the role and criminal antecedents of the present petitioner, besides detailing the incriminatory material, as collected by the investigating officer concerned, which connects the petitioner with the alleged crime.

6. List, on 14.02.2024, in the urgent list.”

2. Today, in compliance of the hereinabove extracted order, the learned State counsel has filed a short reply, on affidavit of Dheeraj Kumar, Deputy Superintendent of Police, City Hansi, and, the same is taken on record.

3. What erupts from the short reply (supra) is that, except the disclosure statement of co-accused, and, the call detail records inter se the petitioner and co-accused, the investigating agency is not seized of any inculpatory evidence, which may even remotely connect the petitioner with the alleged crime.

4. In view of the above, this Court deems it appropriate, at this stage, to grant the asked for relief to the petitioner. Accordingly, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

5. List on 14.03.2024.”

2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Ravi Kant, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 14.02.2024, as made by this Court, is made hereby absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

March 14, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No