

2024:PHHC:168591



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215/2

CRM-M No.9760 of 2024
Date of Decision: 16.12.2024

Prince ... Petitioner

Versus

State of UT ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Shalender Mohan, Advocate,
for the petitioner.

Mr. J.S. Toor, APP, UT, Chandigarh,
for the respondent.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
124	09.10.2023	East Sector 26, District Chandigarh	419, 420 and 120-B of IPC

2. Brief facts of the case relevant for the purpose of disposal of the instant petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Inspector Poonam Dilawari posted at CLI Recruitment Training Centre, Sector-26,

2024:PHHC:168591



Chandigarh alleging therein that on 23.09.2023, she was performing duty at Check desk for verification of documents and attendance of candidates who were appearing for examination for permanent recruitment for 700 posts of Constables. During checking, it was found that the biometric details of a candidate who was allotted Roll No.768239 at the time of examination and whose name was Prince, were not being verified by the Software System which had been used for the purpose of matching the roll number and biometric recording of the candidates approaching for physical test. The details of written examination, which was held on 23.07.2023 were further checked and it was found that even photograph of the candidate who had appeared for written examination on roll No.768239, did not match with the photograph of the person who had come for physical examination. As such, prayer was made for taking action. After registration of FIR, investigation proceedings were initiated. It was revealed that the co-accused Somveer had impersonated the present petitioner and had appeared for his physical examination. The petitioner was arrested on 10.10.2023. The co-accused was also arrested. The investigation stands concluded. The petitioner had been ordered to be released on interim bail vide order dated 17.05.2024 passed in this case.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He remained in custody for a period of 7 months 9 days. Investigation stands completed. He has not misused the concession of interim bail granted to him. The trial is likely to take time. No

2024:PHHC:168591



useful purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

4. Per contra, Mr. J.S. Toor, APP, UT Chandigarh has argued that there are serious allegations against the petitioner who in connivance with the co-accused had cheated the Police Department by managing to produce the co-accused at his place for the purpose of physical examination for recruitment to the post of Constable. It is, therefore, urged that keeping in view the gravity of the offence committed by the petitioner, the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record.

6. The petitioner in connivance with the co-accused is alleged to have committed the offence of cheating in getting himself impersonated by the co-accused for securing recruitment in the Police Department. He remained in custody for a period of 7 months 9 days. Challan has since been presented. However, trial is likely to take time. The offences for which he has been booked and challaned are triable by Magistrate. The petitioner was extended benefit of interim bail vide order dated 17.05.2024 and it has been very fairly conceded by learned Additional Public Prosecutor, UT, Chandigarh that he has not misused the said concession.

7. In view of the above discussed facts but without meaning to make any comment on the merits of the case, it is observed that the petitioner deserves to be extended benefit of regular bail. Accordingly, the

2024:PHHC:168591



petition is allowed and the order dated 17.05.2024 granting interim bail to the petitioner is made absolute subject to compliance of usual terms and conditions.

16.12.2024
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(MANISHA BATRA)
JUDGE

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