

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 15081 of 2024 (O&M)
Date of Decision: 01.05.2024**

Sandeep Kumar @ Sanju

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Nirmal Singh, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana
assisted by SI Mool Chand.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 438 Cr.P.C., prays for grant of pre-arrest bail in case bearing FIR No. 458 dated 21.10.2023, under Sections 419, 420 & 120-B of IPC [Section 8 (1) of the Haryana Public Examination (Prevention of Unfair Means) Act, 2021 added later on), registered at Police Station Ladwa, District Kurukshetra, wherein he has been implicated with the allegations of having facilitated one Vikas to appear in place of Purshotam in CET Examination, 2023.

[2] Learned State Counsel vehemently opposes the prayer made on behalf of the petitioner, while submitting that the petitioner is the master mind of the entire sequence and he is involved in one more case of similar nature; thus, he does not deserve the concession of pre-arrest bail. Though, he, on instructions from SI Mool Chand, submits that the petitioner has joined the investigation and only his mobile phone is now required so as to

retrieve the chat.

[3] On the other hand, learned counsel for the petitioner assures the Court that the petitioner would appear before the Investigating Officer concerned and provide his mobile phone alongwith SIM Card for the purpose of investigation.

[4] I have heard learned counsel for the parties and gone through the paper-book.

[5] This Court, vide order dated 22.03.2024, directed the petitioner to join the investigation before the Investigating Officer and comply with the conditions as envisaged under Section 438 (2) Cr.P.C. Having complied with the aforesaid directions, the petitioner has already joined the investigation. Moreover, the other two co-accused, namely, Vikas and Purshotam, have already been granted the concession of regular bail by the learned JMIC, Kurukshetra, vide order dated 08.11.2023 (Annexure P-2). In the given facts, custodial interrogation of the petitioner is not required.

However, as per the assurance given by the learned counsel representing the petitioner, the petitioner will appear on **03.05.2024 at 10.00 a.m.** before the Investigating Officer concerned and provide his mobile phone alongwith SIM Card.

[6] In this view of the matter, interim order dated 22.03.2024 is made absolute. The petitioner shall keep on joining the investigation as and when required to do so and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

[7] The petition stands **disposed off**.

[8] The above observations may not be construed as an expression of opinion on the merits of the case in any manner.

[9] It is clarified that in case the petitioner fails to join the investigation and comply with the assurance given on his behalf, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

May 01, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>