



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

CRM-M-45920-2024

Date of decision: 16.09.2024

Sukhwinder Singh

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. S.S. Sidhu, Advocate for the petitioner.

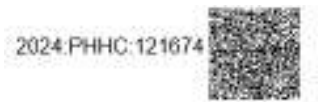
Mr. Abhinav Gupta, Addl. P.P., UT Chandigarh.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 of BNSS 2023 seeking grant of anticipatory bail in case having FIR No.156 dated 28.07.2024, under Sections 319, 318 (4), 336 (3), 338, 340 (2), 61 of BNS, 2023, registered at Police Station, Sector -36, District Chandigarh.

2. The allegations in nutshell are that co-accused Paras was apprehended while he was sitting in an exam of re-conduct of Punjabi language (Paper-1) qualifying test for recruitment of S994ETT Teachers by Department of Education, Government of Punjab, in place of the present petitioner and bio-metric of Paras did not match. The attendance sheet, OMR Sheet of Sukhwinder Singh were also taken into custody by the examiner from Paras. Paras who impersonated as Sukhwinder Singh while appearing in the aforesaid exam and was apprehended at the spot, as his bio-metric mis-matched.

3. Counsel for the petitioner inter alia submits that petitioner did not appear in the aforesaid exam and was absent. It is further submitted that the petitioner is not aware that someone else sat on his seat to appear as a candidate in the said examination. It is further submitted that petitioner



never asked any person to impersonate and to appear in the examination on his behalf. It is further submitted that recoveries are already effected in this case and petitioner is ready to join investigation with the police.

4. The present petition is resisted by the counsel appearing on behalf of UT Chandigarh who on instructions from SI Yash Pal submits that there are serious allegations against the present petitioner who offered to gave Rs.5 lacs to co-accused Paras and asked him to appear in his place in the aforesaid examination. It is further submitted that co-accused Paras was apprehended red handed as bio-metric did not match. It is further submitted that the custody of the petitioner is required for proper investigation in this case.

5. The petitioner is facing serious allegations that co-accused Paras impersonated him and sat in examination of E.T.T. Teachers and as his bio-metric did not match, the said impersonator was apprehended at the spot and attendance sheet, OMR Sheet bearing name of petitioner were taken into custody. The petitioner is facing grave charges. In the given circumstances, his custodial interrogation is necessary for proper investigation of the case.

6. For the foregoing reasons, the present petition is hereby dismissed. However, nothing observed herein above is to be construed as expression of opinion on the merits of the case.

16.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No