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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3549/2023, CRL.M.As. 13433/2023 & 13435/2023
RAJEEV RANJANPetitioner
Through: Mr. Neeraj Kumar, Adv.

versus

STATE GOVT OF NCT OF DELHIRespondent
Through: Mr. Laksh Khanna, APP for State
with SI Yogesh Kumar, PS SPM.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
06.09.2024

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1. By way of the present petition, the petitioner seeks to assail order dated 11.11.2022, vide which the petitioner has been charged alongwith other co-accused persons for offence punishable under Section 419/420/468/471/120-B IPC.
2. Learned counsel for the petitioner submits that there is no material against the present petitioner inasmuch as the petitioner was the supervisor at the examination center where the exams for the post of 'Customer Relations Assistant' was conducted by DMRC on 15.01.2010. He submits that as per the case of the prosecution, one Ashwini Kumar impersonated as Rajeev Kumar and Kaushal Kumar Ranjan, and appeared in the said exam. There is no role attributed to the present applicant of facilitating him, rather it is a case only dereliction of duty.
3. Mr. Khanna, learned APP for the State on the other hand, on instructions from the IO, while also referring to the chargesheet and order on charge submits that during investigation, the CDR of the present petitioner



was collected and it was found that he was in touch with Ashwini Kumar who eventually persuaded the two candidates.

4. Besides above, even the Metro ID Card of co-accused Ashwini Kumar was also recovered at the instance of present petitioner. He further submits that Ashwini Kumar is also an employee of DMRC and had offered to appear for the said two candidates against the offer of Rs. 40,000/- each. It is the present petitioner who permitted Ashwini Kumar to sit in the said examination. The examination had taken place in two halves. The petitioner had supervised the examination in the first half.

5. Considering the allegations, I concur with the findings of the revisionist court that the petitioner facilitated the impersonation by co-accused Ashwani Kumar, who appeared on behalf of Rajeev Kumar and Kaushal Kumar. On the day of the examination for the post of Customer Relations Assistant, the petitioner was on duty in the same hall where Ashwani Kumar, posing as the other two co-accused, was taking the exam on their behalf and therefore, prima facie there is sufficient material for framing of charges against the petitioner.

6. Accordingly, I find no grounds to interfere with the impugned order. The present petition stands dismissed.

MANOJ KUMAR OHRI, J

SEPTEMBER 6, 2024

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