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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3579/2023 and CRL.M.A. 1230/2024**

SURENDAR SINGH

..... Petitioner

Through: Ms. Runjhun Garg, Mr. Krishnagopal
Abhay, Mr. Abhinav Aggarwal and Mr. Himanshu
Vats, Advocates

versus

CENTRAL BUREAU OF INVESTIGATION Respondent

Through: Mr. Mridul Jain, SPP for CBI with
Mr. Manoj Kumar, DSP/EO-I

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

12.01.2024

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1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No. RC/219/2023/E0015/EO-1/New Delhi registered under Section 420 read with Section 120B IPC and Section 66 of Information Technology Act at P.S. EO-I Delhi.
2. Learned counsel for the applicant submits that the applicant is an entrepreneur dealing in computer hardware and provides custom made equipment as per customers' needs. The applicant was approached by one *Ankeet* for purchase of modified TFTs screens and other devices. The applicant sold the equipment as desired by *Ankeet* without being aware of the purpose for which it was to be used. The applicant was only paid the price of the equipment. The applicant was not even present at the



examination centre and there is nothing to connect the applicant with the other accused or with the conspiracy. It is further submitted that the co-accused *namely, Monu Malik, Manjeet Singh and Paramvir* have already released on regular bail.

3. Learned SPP for CBI has vehemently opposed the bail application. He submits that the present case relates to the examination conducted by AIIMS for Nursing Officers Recruitment held at various centres in Delhi, Chandigarh, Punjab, Uttarakhand and other places. The case was registered on account of tweets that circulated on social media about leakage of question paper.

4. Insofar as the present applicant is concerned, it is stated that the applicant had supplied 6 modified TFTS which were used by the candidates while cheating at *Gurgaon* and *Mohali* centres. Later, another 17 modified TFTs were recovered from the applicant's home. The price charged by the applicant was higher than the price of the equipment. He further states that in the aforesaid RC, CBI has filed two chargesheets bearing No.6/2023 for Mohali Centre and No.7/2023 in relation to Gurgaon Centre. The applicant is involved in many other cases of similar nature.

5. At this stage, learned counsel for the applicant submits that the applicant is on bail in all the other cases.

6. A perusal of the Status Report would show that the role assigned to the applicant is of supplying the modified TFTs to one *Ankeet* against payment. The investigation has already been completed and the chargesheets have been filed. As per the nominal roll, the applicant has been in custody since 01.08.2023.



7. Considering the aforesaid and the fact that the other accused persons have already been released on bail, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court and subject to the following further conditions:-

- (i) The applicant shall not leave the NCT of Delhi without prior permission of the concerned Court.
- (ii) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (iii) In case of change of residential address or contact details, the petitioner shall promptly inform the same to the concerned IO as well as to the concerned Court.
- (iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

8. The application stands disposed of in the above terms.

9. Copy of this order be communicated electronically to the concerned Jail Superintendent for information.

10. Copy of this order be uploaded on the website forthwith.

11. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the observations are only for the purpose of the disposal



of the present application.

DASTI.

JANUARY 12, 2024

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MANOJ KUMAR OHRI, J