



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

CRM-M No.6769 of 2025

Date of decision: 5th February, 2025

Pardeep @ Midda & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naveen Siwach, Advocate for the petitioners.

MANJARI NEHRU KAUL, J.

1. The petitioners are seeking the concession of anticipatory bail under Section 482 BNSS in case FIR No.0238 dated 11.11.2022 under Sections 419, 420, 465, 468, 471, 120-B of the IPC and section 66D of the Information Technology (Amendment) Act, 2008 registered at Police Station Kotwali Patiala, District Patiala.

2. Learned counsel for the petitioners has contended that false and concocted allegations have been levelled against the petitioners; they were not named in the FIR in question (Annexure P-1) and were subsequently implicated solely on the basis of disclosure statements made by co-accused, which hold weak evidentiary value. It has been further submitted that since the charge-sheet has already been presented against the co-accused whose statements led to the implication of the petitioners, their custodial interrogation is not required.

3. Notice of motion.

4. Mr. Shiva Khurmi, Asst. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. On being put to notice, learned State counsel, on instructions, has vehemently opposed the prayer made by the counsel opposite, by emphasizing the gravity of the allegations. It is submitted that while the role of the petitioners surfaced during the interrogation of the co-accused and through their disclosure statements, the material on record prima facie proves their active involvement in a sophisticated examination fraud. The petitioners, along with their co-accused, allegedly facilitated candidates in securing Govt. jobs by providing them with illicit assistance during examinations in exchange for substantial sums of money. It has been asserted by the learned State counsel, on instructions, that the petitioners played a key role in orchestrating the crime, supplying candidates with GCM devices, ear-buds, and SIM cards, and transmitting answers to them while they were inside the examination hall. It is further contended that the petitioners are the masterminds behind the operation and that their custodial interrogation is essential to unearth the full extent of the fraudulent scheme and identify other participants in the network.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The allegations against the petitioners are serious and prima facie indicate their active involvement in a well organized scheme to

manipulate Government recruitment examinations. The material on record suggests that they played a pivotal role in facilitating the fraudulent clearance of examinations through electronic means in exchange for monitory gains.

8. The mere fact that the petitioners were not named in the FIR in question does not, by itself, negate their involvement, particularly when their role has surfaced during the course of investigation. The gravity of the offence, its impact on the integrity of the public recruitment processes, and the necessity of custodial interrogation to dismantle the entire network weigh against the grant of anticipatory bail at this stage. In view of the above, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioners. The petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 5, 2025
rps

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