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

+ **BAIL APPLN. 3975/2025**

BALRAJ

.....Petitioner

Through: Mr. Arun Kumar Rathi and Mr. Vinay Rathree, Adv.

versus

THE STATE GNCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastav, APP with Insp. Vinay and SI Rohit, P.S.R.K.Puram.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

28.10.2025

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1. This is an application under Section 482 BNSS/438 Cr.P.C read with Section 582 of BNSS filed by the petitioner-Balraj for the grant of anticipatory bail in case FIR No. 399/2024 under Section 318(2)/319(1)/212/3(5) & 61 (2) BNS and under Section 10(1) and 11(1) of the Public Examinations (Prevention of Unfair Means) Act, 2024 registered at P.S. R.K.Puram.
2. Learned counsel for the petitioner states that petitioner is an innocent person and has nothing to do with the commission of the alleged offence or in any manner connected with the same and has been falsely implicated and roped only on the basis of mere disclosure statement of the co-accused which was fabricated by the investigating agency solely to make the petitioner a scapegoat in the present case.
3. It is further submitted that on receipt of notice from the investigating



agency, the petitioner joined the investigation on 17.05.2025 and provided all the details as asked for. Despite this, the Investigating Officer has got issued the non-bailable warrants against him.

4. Per contra, the learned APP has argued on the lines of the status report and submits that petitioner is the king pin. He has not joined the investigation and is required for the purpose of custodial interrogation for unearthing the entire conspiracy, and therefore, does not deserve the leniency for the grant of pre-arrest bail.

5. As per the prosecution case, 10 persons were caught at an Examination Centre with an unauthorized Bluetooth device for solving the question paper for the post of LDC being conducted by the National Institute of Educational Planning and Administration Examination-2024.

6. As per the status report, all accused persons were interrogated at length which revealed that they were working under a crime syndicate. They were given Bluetooth devices and one mobile phone for scanning the question papers. After scanning the question papers were to be told to all other accused through Bluetooth devices accompanied by the earpieces. It was found that 3 out of the aforesaid 10 persons had hidden their identity and were impersonating in the examination centre.

7. Status report further reveals that one person Sahil appeared in the examination in place of one Vikas and a mobile phone to scan the question paper during the exam was recovered from him and Sahil disclosed that he appeared in the examination at the behest of co-accused Kuldeep and co-accused Kuldeep arranged a meeting with the petitioner-Balraj in solving the exam and arranged the devices.

8. Co-accused Raju and Sonu also disclosed that accused Kuldeep had



introduced them and facilitated them to provide the devices from one Masterji who was later identified as petitioner-Balraj.

9. Status report further reveals that petitioner once joined the investigation on 17.05.2025 but left without giving satisfactory answers and without completing the interrogation and thereafter did not join the investigation again. Non-bailable warrants were issued against the petitioner and process under Section 84 BNSS has already been initiated. Learned APP states that process under Section 84 BNSS has been duly executed and just formal orders are to be passed by the trial court for declaring him a proclaimed offender.

10. The role ascribed to the present petitioner is that he had arranged Bluetooth devices for the co-accused persons to help them in clearing the exam. Petitioner is required for the purpose of investigation to unearth the entire conspiracy.

11. Keeping in view the entire facts and circumstances and the nature of gravity of the allegations and the fact that petitioner is required for custodial interrogation, I do not deem it appropriate to grant pre-arrest bail to the petitioner. The bail application is therefore dismissed.

RAVINDER DUDEJA, J

OCTOBER 28, 2025/ib