

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15206-2022 (O&M)
Date of Decision:-7.9.2022

Kuldeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagdeep Singh Rana, Advocate for
Mr. Kshitij Sharma, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Deepak Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.126 dated 13.09.2021 at Police Station Phase-8, SAS Nagar Mohali, under Sections 420/465/468/471/120-B IPC (Section 467 IPC and Section 66D of the Information Technology Act added later on).
2. At the time of issuance of notice of motion, the following order was passed on 8.4.2022:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.126 dated 13.09.2021 at Police Station Phase-8, SAS Nagar Mohali, under Sections 420/465/468/471/120-B IPC (Section 467 IPC and Section 66D of the Information Technology Act added later on). The FIR was

lodged pursuant to receipt of secret information by the police to the effect that Hari Kishan along with Manjit Kumar, Bahan Singh, Kuldip Singh @ Foki, Sandeep Kumar, Sumit Kumar, Soni Singh @ Sonu Gujjar, Yogesh and Chota Ram @ Giyani were planning to defraud innocent persons on the pretext of getting them recruited in Punjab Police and in other departments wherein recruitment was being conducted through online process. It is alleged that the said persons were cheating innocent persons and were collecting huge amount on the pretext of getting them employment. It is the case of prosecution that pursuant to receipt of said information, a raid was conducted at the house of Hari Kishan and upon whose disclosure statement Chanderbhan, Ritika and Neelkamal were arrested. It is further the case of prosecution that 15 admit cards/roll numbers along with one communication device, 1 Bluetooth bug and a sum of Rs.8,60,000/- were also recovered from Chanderbhan. Another 17 admit cards/roll numbers along with one communication device, 1 Bluetooth bug and one electric cash counter are stated to have been recovered from Ritika. Two mobile phones and one laptop are stated to have been recovered pursuant to disclosure statement made by Neelkamal. The aforesaid persons are stated to have disclosed the names of other accused namely Ajay Dohan, Pardeep alias Kala, Chander Mohan alias CM and Vikas @ Vicky. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that there is no evidence worth credence to connect him with the alleged occurrence, which otherwise is a very vague allegation. It has further been submitted that an identically situated co-accused Manjit Kumar has already been granted bail by this Court vide order dated 07.03.2022 and as such, the petitioner deserves the same concession on the grounds of parity. Notice of motion for 07.09.2022. Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with

the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Deepak Singh, has informed that although the petitioner has joined investigation but he has not disclosed the names of other candidates, who may have paid money for getting themselves recruited. Learned State counsel has, however, informed that the petitioner is not involved in any other case.
4. This Court has considered rival submissions.
5. Having regard to the facts and circumstances of the case and while noticing that the petitioner has joined investigation and is having a clean record, the petitioner would be entitled for grant of anticipatory bail. The contention of learned State counsel that the petitioner has not furnished the names of other candidates, who may have paid money for getting themselves recruited, cannot be made a ground for declining the bail to the petitioner particularly when the petitioner is not stated to be the main accused. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 8.4.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

7.9.2022

pankaj

(Gurvinder Singh Gill)

Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No