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

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*Reserved on: 27.02.2024*  
*Pronounced on: 19.03.2024*

+ **BAIL APPLN. 586/2024**

VEDPAL

..... Petitioner

Through: Mr. Praveen Kumar, Mr. Gaurav  
Chahal and Mr. Vishuvendra  
Singh, Advocates

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Manoj Pant, APP for the  
State with Inspector Sandeep,  
P.S. Ranhola.

**CORAM:****HON'BLE MS. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****SWARANA KANTA SHARMA, J.**

1. The instant applicant under Section 439 of the Code of Criminal Procedure, 1973 (*Cr.P.C.*) has been filed on behalf of applicant seeking grant of regular bail in case FIR bearing no. 807/2023, registered at Police Station Ranhola, New Delhi for the offences punishable under Sections 420/120B/34 of the Indian Penal Code, 1860 (*IPC*).



2. Briefly stated, the facts of the present case are that the police official had received an information that certain persons were standing by a car with registration number HR \*\*\*\*45 near Bani Camp in Safeda Park Area, and they were involved in leaking papers of government job examination for getting a Government job taking place in Haryana. Upon reaching the spot, the police officials had found accused Kapil and present applicant/accused Vedpal standing near the vehicle, who after seeing the police officials had run away in different directions. Thereafter, a search was conducted of the vehicle, where the police officials had found many bags and numerous mobile phones on the rear seat of the vehicle. The bags found in the car had been checked thoroughly, and were found to contain admit cards for Haryana government job examination and other documents. It has further been alleged by the prosecution that when the accused persons Kapil and Vedpal were questioned about the aforementioned admit cards and mobile phones found in the car, they could not provide any satisfactory answer.

3. Learned counsel for the applicant argues that the present applicant/accused has been falsely implicated in the present case. It is argued that the applicant/accused herein is a driver by profession and has no criminal antecedent. It is argued that the only role of the applicant/accused is that he had transported the students to one computer centre as they had to take mock tests as part of his responsibility. It is further argued that the students often used to leave



their bags, phones and identity cards in the applicant's car and he was only fulfilling his duty when he was allegedly arrested. It is also stated that the present applicant/accused has no role to play in the alleged offence and it is clear from the record itself that he is only a driver who has been languishing in jail for more than three months on mere suspicion. It is stated that as per Haryana Staff Selection Commission, the exam conducting body, no question paper was leaked and no question paper was recovered from the applicant herein. It is also argued that essential ingredients of Section 420 of IPC i.e. dishonest inducement and any delivery of property cannot be made out from the facts of the present case. Therefore, the present applicant/accused is entitled to bail.

4. *Per Contra*, Learned APP for the State argues that the allegations against the present applicant/accused are serious and grave in nature. It is argued that the present applicant/accused was involved in the leaking of government job examination question papers in Haryana. It is further argued that several documents and mobile phones used to facilitate cheating in the examinations have been recovered from the possession of the present applicant/accused. It is also argued that candidates who have been examined by the police had stated in their statements that the present accused/applicant, along with other co-accused persons, had lured them and other candidates to give them a handsome amount of money in exchange for leaked exam papers. It is also argued that the main conspirators of the nexus, Robin and Vijay, are still absconding,



and PO proceedings have been initiated against them. It is further argued that the present applicant/accused has previously been involved in another FIR under Section 294 of IPC in Rohtak, Haryana. Thus, the bail application filed by the present applicant/accused should be dismissed.

5. This Court has heard arguments addressed on behalf of learned counsel for the applicant and learned APP for the State, and has perused material on record.

6. This Court notes that the allegations against the present applicant/accused Vedpal, in brief, are that the applicant/accused along with other co-accused persons were involved in leaking question papers of examinations for government employment taking place in Haryana. The accused persons, including the present applicant/accused when apprehended by the police officials, were found in possession of 80 mobile phones, blank signed cheques, admit cards for Haryana Government exams (Group-D), marksheets of various individuals, and other documents.

7. After a perusal of status report filed on record, this Court notes that during the investigation, it came to light that the present applicant/accused Vedpal, along with other co-accused(s), were associated with the main accused Robin, a former Delhi Police official, and were part of a large network involved in leaking government examination question papers. It has further been revealed that the accused persons, including the present applicant/accused Vedpal, had



allegedly leaked government examination question papers for the Haryana Group-D exam scheduled on 21.10.2023 and 22.10.2023. The investigation had further revealed that present applicant/accused Vedpal, along with accused Kapil and others, had allegedly transported candidates to Baba Haridas School, near Bani Camp, Delhi, on 20.10.2023, a day prior to the exam. On the same day, the accused persons had allegedly aided candidates in memorizing the leaked question paper answers at a computer lab owned by accused Vijay, under the direction of main accused Robin. It has further been revealed that present applicant/accused Vedpal had allegedly kept the candidates' mobile phones and bags in a vehicle to prevent the question paper being further leaked to anyone else. Thereafter, the candidates were transported to their exam centers in cabs arranged by the main accused Robin.

8. During the course of investigation, copies of admit cards belonging to various candidates were found on the mobile phone of the present applicant/accused Vedpal, and the phone numbers of these candidates were also retrieved from the mobile phones of other co-accused individuals. As per the Status report, the candidates, upon being examined by the police officials, had revealed in their statements that accused Kapil and the present applicant/accused Vedpal had invited them to Delhi, promising to provide leaked question papers in exchange for Rs.10-12 lakhs. The candidates had also stated in their statement that they were lured into handing over blank signed cheques and other



banking documents to the accused persons, which were subsequently recovered during the course of investigation. The cab driver Praveen was also examined, who had stated in his statement that on the direction of the co-accused and the present applicant/accused, they had booked cabs through a WhatsApp group called "Sonipat Cab Drivers" and had picked and dropped the candidate from one location to another.

9. While adjudicating the present bail application, this Court is of the opinion that when individuals resort to dishonest means to obtain leaked examination papers or cheat during exams, **it not only undermines the merit-based selection process but also erodes public trust in the fair and transparent examination system.**

10. Moreover, cheating in government exams can have **far-reaching consequences for society as a whole. It can lead to the recruitment of incompetent or unqualified individuals in key government positions, which can have detrimental effects on public service delivery, governance, and overall development.**

11. Furthermore, **cheating in government exams undermines the principles of meritocracy and equal opportunities, which are essential for fostering social mobility and ensuring fairness in society.** It perpetuates inequalities by favoring those who can afford to pay for leaked exam papers or engage in fraudulent activities, while disadvantaging those who rely on their hard work and merit to succeed. The acts of cheating in examinations thus must be dealt with a stern hand, as their effects are not limited to an individual but impact society



as a whole. In the present case, the allegations against the accused persons are serious in nature since they have made the prospective candidates believe that they have the leaked question papers for the examination they are sitting for and have sold them the same on payment of lakhs of rupees. The recovery is effected from them corroborates prima facie the statements of the victims and the prosecution.

12. Thus, in view of the aforesaid discussion, and the fact that the admit cards of the candidates, the mobile phones, blank signed cheques another related documents have been recovered from the possession of the present applicant/accused, and that the modus operandi of commission of the offence is yet to be disclosed as the other co-accused are yet to be arrested, and that the trial is yet to commence, this Court is not inclined to grant bail to the present applicant/ accused, at this Stage.

13. According, bail application of the present applicant/accused is dismissed.

14. It is also clarified that nothing expressed hereinabove shall tantamount to expression of opinion on the merits of the case.

15. The judgment be uploaded on the website forthwith.

**SWARANA KANTA SHARMA, J**

**MARCH 19, 2024/zp**