

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

CRM-M-26953 of 2018

Date of Decision: 28.08.2018

Dinesh Kumar

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Harish Mehla, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J.

Petitioner-Dinesh Kumar has approached this Court by way of filing the present petition under Section 439 Cr.P.C for grant of regular bail to him in case FIR No.99 dated 23.10.2016 registered under Sections 420, 465, 467, 471 and 120-B IPC at Police Station Sardul Garh, District Mansa (Punjab).

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved. He further submits that the beneficiaries, who availed the facility of loan, have either been released on regular bail or on anticipatory bail and the petitioner is in custody since the date of his arrest i.e 17.02.2018. The petitioner was working as Assistant Manager (trainee) with HDFC Bank on 04.10.2013 and for a period of one year, he was under training. The petitioner only assisted and accompanied the Manager as per his instructions. He has been made scapegoat because of action on the part of Manager, whereas, he was having no role to play in sanctioning of loan. Learned counsel also submits

that Chandan Madaan, who is the main accused, has been granted bail by this Court in various Criminal Misc. Petitions. Accused, namely, Palwinder Singh, Advocate of the Bank and other accused have also been released on bail on account of prolonged detention during the course of trial.

Learned State counsel has not disputed the release of co-accused either on anticipatory bail or regular bail. The custody period of the petitioner has not been disputed.

Learned counsel for the complainant has also opposed the grant of regular bail to the petitioner on the ground that he is a habitual offender as number of cases have been registered against him.

By considering the submissions made by learned counsel for the petitioner and also the fact that co-accused Chandan Madaan, who is the main accused, has been released on regular bail vide order dated 21.08.2018 passed in ***Criminal Misc. No.M-23487 of 2018***; the offence is triable by the Magistrate and challan has been presented; no useful purpose would be served by keeping the petitioner behind bars, the present petition is allowed and petitioner-Dinesh Kumar is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

28.08.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No