

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

CRM-M-10028 of 2022(O&M)
Date of Decision: 15.07.2022

Rajeev Kumar

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Manoj Gujral, Advocate
 For the petitioner.**

**Mr. Arjun Dosanj, Advocate for
Mr. C.S. Bakshi, Addl. APP U.T. Chandigarh.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in FIR No. 82 dated 26.10.2021, registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station North Sector-3, District U.T. Chandigarh.

The counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in custody for the last more than 8 months and no incriminating article was recovered from his possession except for four rubber stamps. The counsel further contends that after the investigation the police has presented the challan. The counsel further contends that co-accused Ganesh Kumar Nishad has already been granted concession of regular bail by this Court vide order dated 25.03.2022. The counsel for the petitioner further make prayer that petitioner be released on bail.

The present petition is contested by U.T. Chandigarh counsel who submits that there are allegations that the present petitioner procured fake rubber stamps which were used to forge documents. The counsel further submits that the trial is yet to commence and thus made prayer that present petition be dismissed. However, at the same time the counsel for UT Chandigarh admits the fact that co-accused Ganesh Kumar Nishad has already been granted bail by this Court and even the custody period of the petitioner has not been refuted by the State counsel.

I have considered the submissions made by learned counsel for the petitioner as well as learned State counsel.

The FIR was registered in this case on the basis of the complaint wherein it was alleged that one Neeraj Kumar resident of Pinjore appeared for in interview for the post of Reporter(English) in Haryana Vidhan Sabha Secretariat. The roll number slip produced by the said candidate was found to be fake. On being asked the said candidate disclosed that the same was supplied to him by co-accused Jitender Singh. Consequently, the said accused was arrested and during investigation the present petitioner was also found to be involved in the said racket and consequently he was arrested. As per custody certificate dated 14.07.2022 petitioner is in custody for the last more than 08 months. The only allegation against the petitioner is that four fake rubber stamps were recovered from his possession. After the completion of investigation the police has already presented the challan in the Court. Co-accused Ganesh Kumar Nishad has been granted bail by this Court

vide order dated 25.03.2022. The case is triable by the Court of Judicial Magistrate Ist Class. It will take considerable time for the trial to terminate, after the framing of charges. Admittedly, the petitioner is having no criminal history. In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

15.07.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**