

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

CRM-M-11977-2022

Date of Decision:-25.3.2022

GANESH KUMAR NISHAD

... Petitioner

Versus

UT CHANDIGARH

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Shantanu Bansal, Advocate
for the petitioner.

Mr. Charanjit Singh, Addl. P.P. U.T. Chandigarh

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

The petitioner has approached this Court seeking grant of
regular bail in a case having FIR No.82 dated 26.10.2021 registered under
Sections 420, 467, 468, 471, 120-B IPC at Police Station North, Chandigarh.

The counsel for the petitioner contended that the petitioner has
been falsely implicated in the present case. It is further contended that he is
in custody for the last more than 4 months and no incriminating article was
recovered from his possession during the investigation, which has already

completed. The counsel for the petitioner made prayer that the petitioner be granted regular bail.

The bail application is contested by the U.T. Chandigarh counsel, who submitted that there are allegations that the present petitioner used to get prepare the fake stamps from one Ashwani Kalra and then supply them to main accused Jatinder. The U.T. counsel further submitted that trial is yet to begin and thus made prayer that the present petition be dismissed.

I have considered the submissions made by counsel for the parties.

The FIR was registered in this case on the basis of the complaint in which it was alleged that one Neeraj Kumar son of Rajesh Kumar resident of Pinjore appeared for 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 forged. On being asked the said candidate disclosed that aforesaid roll number slip was supplied to him by Jatinder Singh. After the registration of the FIR Jatinder Singh was arrested and disclosed that the present petitioner used to provide him fake stamps used for preparation of fake documents by him. During investigation Jatinder Singh got recovered fake ID card of HSSC, Haryana Government, Stamp of Vidhan Sabha, fake interview letter of Vidhan Sabha, laptop, printer and cash of ₹2,63,500/- as well as Baleno car No.HR-26-DC-3597. It also transpired during investigation that Jatinder Singh was taking money after giving assurance to provide appointments. The present petitioner was also arrested by the police on 26.10.2021 on the basis of disclosure made by said Jatinder Singh.

Admittedly, the petitioner is in custody since 26.10.2021. As per the custody certificate the petitioner is not involved in any other criminal case. Undisputedly, no incriminating articles were recovered from his possession till date. After the completion of the investigation, the police has already presented challan in the Court of Illaqa Magistrate against the petitioner and the other accused. As per prosecution, the petitioner used to procure fake stamps from one Ashwani Kalra, who is not arraigned as an accused in the present case.

In view of the above, as nothing incriminating was recovered from the petitioner and the fact that it will take considerable long time for conclusion of the trial, I am of the view that no fruitful purpose is going to be served by keeping the petitioner in judicial custody for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

25.3.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No