

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

Sr. No.203

CRM-M-52458 of 2021

Date of Decision: 25.02.2022

Nitin Dhiman @ Golu

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Umesh Narang, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Arvind Kashyap, Advocate for the complainant.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.136 dated 15.10.2021, registered under Sections 406, 420, 465, 467, 468, 471 and 120-B of IPC at P.S.Navi Baradari, Jalandhar.

Learned counsel for the petitioner contended that the petitioner in not named in the instant FIR and was nominated as an accused only vide zimni order dated 06.11.2021 passed by learned ADJ Jalandhar on the ground that the present petitioner used to help the main accused Himansh Verma in his work and after the said main accused fled away from the custody of the police, the petitioner took accused Chander Kanta, sister and mother of the accused Prithvi Rajput to Himachal Pradesh.

It is further contended that the petitioner was employed as driver with the main accused Himansh Verma since March 2021 and has nothing to do with the allegations levelled against main accused. Neither any money has ever been received by the petitioner from the complainant

nor there are any allegations against him that he had ever induced the complainant to part with any money on false pretexts. Moreover, the main accused Himansh Verma has already been granted concession of interim bail by this Court, whereas the present petitioner was arrested on 06.11.2021 and since then, he is in custody.

Learned State counsel although opposes the prayer made on behalf of the petitioner, does not dispute the fact with regard to the custody period undergone by the petitioner. He further concedes that the petitioner is neither involved in any other FIR nor any other case is pending against him.

I have heard the learned counsel for the parties and perused the case file.

Keeping in view the aforesaid facts that the petitioner is in custody since 06.11.2021; the main accused has already been granted the concession of interim bail and further that the petitioner is not involved in any other case, no useful purpose would be served by keeping him behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

Accordingly, the petition stands allowed.

**(SANT PARKASH)
JUDGE**

25.02.2022

Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No