

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-24138-2015
Date of decision: 3.8.2015

Balwinder Singh @ Aman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.B.S.Dhillon, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.237 dated 10.11.2014 registered under Sections 489-A, 489-B and 489-C of the Indian Penal Code at Police Station, Mullana, District Ambala.

Learned counsel for the petitioner submits that petitioner was not named in the FIR. Later on the petitioner has been falsely implicated. He further submits that no recovery of the alleged fake currency was effected from the petitioner. In such a situation, petitioner is entitled for bail pending trial. In support of his contentions, he places reliance on an order dated 13.8.2009 passed by this Court in CRM-M-9125-2009 (Ram Parshad @ Pardeep v. State of Haryana). He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Vijay Kumar, Police Station, Mullana, submits that the allegations are serious in nature. Challan has already been presented against the petitioner, wherein sufficient incriminating material has been collected against him. In this view of the matter, he prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in view of the peculiar fact situation of the present case, petitioner has not been found entitled for bail pending trial. It is so said because the allegations are serious in nature. Report under Section 173 Cr.P.C. has already been presented and even the charges have also been framed against the petitioner. Since the FIR is of dated 10.11.2014, there is no delay in the trial. So far as the order dated 13.8.2009, relied upon by the learned counsel for the petitioner in Ram Parshad's case (supra) is concerned, the same has been perused but found of no help to the petitioner, being distinguishable on facts.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

3.8.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE