

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2348 OF 2015

Saddam Abdulhaq Shaikh. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Mr. Vasant B. Ghorpade, advocate for Applicant.

Mrs. A.A. Mane, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : MARCH 21, 2016

P.C.:

1 Heard the learned Counsel for the applicant and the learned
APP for State.

2 This is an application under Section 439 of the Code of Criminal
Procedure, 1973. This is the third application filed by the applicant
seeking bail. The applicant is charge-sheeted in Crime No. 144 of
2014 registered at Kolsewadi Police Station for offence punishable
under Section 489B and 489C of the Indian Penal Code. On 1st
December, 2014 the first application seeking enlargement on bail was

withdrawn upon instructions. Subsequently, the applicant filed Criminal Application No. 579 of 2015. This Court by a speaking order had rejected the said application vide Order dated 15/6/2015. This Court had observed that the compilation of the charge-sheet would clearly indicate that the currency notes, which were seized, as circulated by the accused/applicant were counterfeit notes. This is the third bail application.

3 The learned Counsel for the applicant vehemently submitted that the notes, which were seized, were not sent to Currency Note Press at Nashik Road. The learned Counsel submits that the numbers of the counterfeit notes mentioned in the report dated 19/4/2014 show the prefix and serial number as follows : 4CB-912355, 4CB-912316. The report is that the said notes are not genuine. The learned Counsel has further drawn attention of this Court to the supplementary statement of Harilal Pannalal Gupta dated 19/6/2014, wherein he has stated that he had mentioned the numbers of the Counterfeit notes in the panchanama as 4CB-9J2355, 4CB-9J2316.

The deponent has clarified that the number-1 was read as J and therefore, he had mentioned it as J. The learned Counsel also submits that in the market there are currency notes of number bearing 912316 and 912355 and therefore, according to the him, they are not the same notes.

4 Today, the learned APP Mrs. Mane has actually demonstrated before the Court that the number 1 on the genuine notes does appear as J. The said aspect is conceded by the learned Counsel.

5 It is clear that there is no discrepancy as is being tried to point out by the learned Counsel. In fact, the notes which were seized as circulated by the applicant were sent to Currency Note Press, Nashik Road and were found to be counterfeit notes. Hence, the application being sans merits deserves to be rejected. Hence, the application is rejected and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)