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

**CRM-M No.11876 of 2017
Date of Decision: 24.04.2017**

Jagdish Singh @ Deesha

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ashok Giri, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 154 dated 26.12.2016, under Sections 489-B and 489-C I.P.C. and under Sections 21, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short NDPS Act), registered at Police Station Kot Isse Khan, District Moga. Offences under Sections 489-A, 489-D and 489-E I.P.C. were subsequently added.

Learned counsel for the petitioner contended that the petitioner and his co-accused Boota Singh were arrested when

a *naka* was installed by the police on receipt of secret information. 2 grams of heroin and the counterfeit currency worth ₹ 1,86,000/- (Rupees One Lac and Eighty Six Thousand Only) of the denomination of ₹ 2,000/- each (Rupees Two Thousand Only) were recovered from the car, belonging to father of the petitioner. Petitioner was driving the car, whereas Boota Singh was sitting as a co-passanger. As per disclosure made by the petitioner, one Sammandeep Singh @ Ravi had prepared the counterfeit currency, from whom even printer was recovered. It was alleged that the petitioner was in the knowledge of the fact that aforesaid Sammandeep Singh was involved in the preparation of the counterfeit currency and the petitioner and Boota Singh were also in knowledge that they were possessing and carrying counterfeit currency, which was prepared by Sammandeep Singh, co-accused.

Apparently, at this stage, the allegations are of possession of the counterfeit currency. The alleged recovery of 2 grams of heroin is a small quantity. Use of seven currency notes in a sum of ₹ 14,000/- (Rupees Fourteen Thousand Only) by the petitioner would be debatable at the stage of trial.

Learned counsel for the petitioner submitted that in the NDPS Act cases, the petitioner has already been acquitted.

Learned State counsel on instructions from A.S.I.

Baljit Singh stated that the challan has already been presented and now the case is fixed for the framing of charges before the trial Court.

In view of the aforesaid, without meaning anything on merits of the case, at this stage, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 24, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No