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

**CRM-M No.3486 of 2017
Date of Decision: 21.04.2017**

BOOTA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present:Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Shilesh Gupta, Addl. 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, registered under Sections 489-B, 489-C IPC and Section 21 of the NDPS Act, 1985 at Police Station Kot Ise Khan, District Moga. Offence under Sections 489-A, 489-D and 489-E were added later on.

Learned counsel for the petitioner contended that initially FIR No.44 was registered against the petitioner on 31.03.2016 for the offence under Sections 21/22 of the NDPS Act and the petitioner was granted anticipatory bail by this Court on 08.02.2017. After registration of the aforesaid case, the

present case was registered with the allegations that petitioner and Jagdish Singh were apprehended, when a *naka* was laid pursuant to the secret information wherein two grams of heroin and counterfeit currency notes worth Rs.1,86,000/- of the denomination of Rs.2000/- each were recovered from the car belonging to the father of Jagdish Singh. The car was being driven by Jagdish Singh and the petitioner was sitting as a co-passenger. Said Jagdish Singh made a disclosure statement that the counterfeit currency was prepared by one Sammandeep Singh @ Ravi from whom printer was recovered. It was alleged against the petitioner that he and the said Jagdish Singh were in the knowledge of the fact that they were possessing and carrying the counterfeit currency which was prepared by Sammandeep Singh @ Ravi.

Learned counsel further contended that use of seven currency notes in the sum of Rs.14,000/- was done only by co-accused Jagdish Singh. Ingredients of offence in question are not attracted in respect of alleged complicity of the petitioner.

Learned State counsel on instructions from ASI Kuldeep submitted that petitioner is also involved in number of cases, the details of which have been given in para no.4 of the reply filed on behalf of respondent No.1-State.

Perusal of the details in the reply, reveals that the

petitioner is not involved in any case of the like nature except NDPS cases in which he is on bail. In two of the cases, bearing FIR No.69 dated 31.05.2013 under Section 15/61/85 of the NDPS Act and FIR No.39 under Sections 279/337/338 IPC, petitioner has been acquitted. In other cases, petitioner is on bail.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 26.12.2016.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on 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 21, 2017.

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Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No