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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ BAIL APPLN. 545/2017

NAZIRA .....Petitioner

Through: Mr.Ashok Kumar Tanwar, Advocate.

Versus

STATE ....Respondent

Through: Ms. Aashaa Tiwari, APP for the State with SI Rakesh Kumar from Special Cell, NR.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

O R D E R

% **08.08.2017**

1. By this present application filed under Section 439 of Cr. P.C., the petitioner is seeking grant of bail in FIR No. 11/2014 under Sections 489B/489C/120B of the IPC registered at Police Station Lodhi Colony. New Delhi. The applicant has served over 3 years in Judicial Custody.

2. The brief facts of the case are that on 13.06.2016, the police apprehended two accused persons namely Tajuddin and Surender Kohli for possession of Fake Indian Currency Notes on the basis of which, the said FIR No. 11/2014 under Sections 489B/489C/120B of the IPC was registered. During investigation two other accused namely Pawan Tiwari and Mohd. Murtaza were apprehended with Fake Indian Currency Notes. Thereafter, various teams were sent to West Bengal to arrest the petitioner/accused who is alleged to be the kingpin and the main source of supply of the Fake Indian Currency Notes. Subsequent to this, the

petitioner/accused was arrested on 12.07.2014 from her house in West Bengal and Rs 30,000 of Fake Indian Currency Notes was recovered at her instance.

3. The learned counsel for the petitioner contended that the petitioner is not involved in the said offence and that she has been falsely implicated on the basis of discloser statements of co-accused persons. It was further contended that the alleged recovery of Fake Indian Currency Notes that were shown to be effected from her, were planted by the police after getting the transit remand from the CJM, West Bengal. He also added that the petitioner is suffering from multiple diseases and is in need of urgent medical treatment. More so, after the death of her husband, no one is there to look after her minor children.

4. Per Contra, the learned APP appearing for the State, strongly opposed the present bail application and submitted that during investigation, the mobile phones of all the accused persons were intercepted which showed that the petitioner was in contact with other co-accused persons for the purpose of supplying Fake Indian Currency Notes. Moreover, the investigation indicates that petitioner was the head of the international syndicate of Fake Indian Currency Notes and was leading the other co-accused in this conspiracy. Further, an amount of Rs. 30,000/- in Fake Indian Currency Notes was also recovered from the petitioner at her instance.

5. On hearing the arguments advanced, the factum of recovery of Fake Indian Currency Notes, the intercepted calls and the leads given by the co-accused persons, it appears that a prima facie case is made out against the petitioner under Sections 489B/489C/120B of the IPC.

6. As far as the contention of the counsel for the petitioner with regard to her health is concerned, it appears that the condition of the petitioner is stable and she is receiving all the prescribed medication. Further, it was also brought to the notice of this court that the charges have been framed in the present FIR and the case is fixed for prosecution evidence.

7. In view of the aforementioned facts and circumstances as well as taking into consideration the specific role attributed to the petitioner/accused and the gravity of the offences alleged, this court does not deem it fit to grant bail to the petitioner. Resultantly, the present bail application filed by the petitioner is dismissed.

8. Before parting with the above order, it is made clear that anything observed in the present bail application shall not have any bearing on the merits of the case during trial.

SANGITA DHINGRA SEHGAL, J

AUGUST 8, 2017
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