

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-7567 of 2018
Date of Decision: May 01, 2018

Sandeep Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Veneet Sharma, Advocate for the petitioner
Mr. Amandeep S. Gill, Sr. DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 376 dated 24.12.2017, registered under Sections 489-A, 489-B, 489-C and 489-D of IPC at Police Station 'A' Division, Amritsar City, District Amritsar.

Learned counsel for the petitioner states that counterfeit currency notes of the denomination of Rs. 100/-, 500/- and 1000/- amounting to Rs. 60,000/-, were allegedly recovered from the petitioner. Thus, at the most offence under Section 489-C IPC is attracted. It is debatable whether the other provisions are attracted in the present case or not. Moreover, the investigation is complete and the challan has already been presented. The conclusion of the trial is likely to take some time and, therefore, no useful purpose would be served by keeping the petitioner in custody indefinitely.

Custody certificate prepared by Sh. Rajiv Kumar Arora, Deputy Superintendent, Central Jail, Amritsar, has been filed in the Court today and the same is taken on record.

Learned State counsel submits that a large quantity of counterfeit currency notes were recovered from the petitioner. A printer was also recovered on disclosure statement of the co-accused of the petitioner, therefore, the petitioner is

not entitled to be enlarged on bail.

Having considered the rival submissions of learned counsel, I am of the view that the petitioner deserves to be granted concession of regular bail because as per the prosecution case, recovery was allegedly effected from the petitioner but the printer was not recovered from him. Thus, it would be debatable whether the offences under Sections 489-A, 489-C and 489-D of IPC are made out or not. Moreover, the investigation is complete and, thus, no useful purpose would be served by keeping the petitioner in custody.

The petition is allowed and the petitioner – Sandeep Kumar is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

May 01, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No