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

+ **BAIL APPLN. 2576/2017 & CRL.M.A. 20703/2017**

GULSHAN

..... Petitioner

Through: Mr. _____, Adv/ (Appearance not given)

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Ashish Dutta, APP for State.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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07.03.2018

The Trial Court Record had been requisitioned and has been received in terms of proceedings dated 07.02.2018.

On behalf of the applicant, it has been submitted that he has been falsely implicated in the instant case and that apart from the same, the co-accused in the instant case namely Ramji Lal is on bail since 22.05.2017 with similar allegations against him. The charges in the instant case are indicated to have been framed on 05.01.2018 with the allegations against the present applicant Gulshan Kumar and Ramji Lal Saini to the effect that on 10.10.2016 they were allegedly found in possession of counterfeit coins of Rs. 5/- to the tune of Rs. 25,000/- and counterfeit coins of Rs. 10/- to the tune of Rs. 12,500/- knowing that they were counterfeit coins and committed an offence punishable u/s 243 of the Indian Penal Code, 1860 and that apart from the applicant the other co-accused namely Sachin Kumar and

Ramji Lal Saini have also been charged in relation to having been found in possession of Hydraulic Machines with motors and dyes need for counterfeiting Indian coins and raw materials and allegedly committed the offence punishable under Section 235 of the Indian Penal Code, 1860 punishable with a term which may extend to imprisonment for 10 years apart from the payment of fine.

On behalf of the applicant, it has been submitted that the co-accused is on bail and on ground of parity the applicant be also released. *Inter alia* reliance is also placed on behalf of the applicant on the verdict of the Apex Court in “Dharambir vs. State of U.P. & Anr.” dated 06.02.2018 submitting to the effect that thus the judicial discretion be exercised in the instant case to the extent that the applicant be allowed to be released on bail.

On behalf of the State, the application has been vehemently opposed submitting to the effect that apart from the present case the applicant is involved in FIR no. 174/2000 City Hisar u/s 411 of the Indian Penal Code, 1860 , FIR no. 123 dated 29.07.2012 Naraina u/s 392/34 of the Indian Penal Code, 1860 , FIR no. 65 dated 20.02.2015 Sampala Haryana u/s 420/406/407/120-B of the Indian Penal Code, 1860 apart from the present FIR.

Taking the totality of the circumstances of the case and also the gravity of the nature of the alleged offences against the petitioner, which are infact offences against the nation itself with the applicant allegedly being found in the possession of hydraulic machines for production of counterfeit currency with previous adverse antecedents against the applicant, there is no ground for grant of bail.

The prayer now, made on behalf of the applicant for withdrawal

of the application is declined.

The learned Trial Court shall however, make an endeavour to expedite the completion of the trial within a period of 10 months.

The copy of this order be sent to the learned Trial Court.

The Trial Court Record be returned.

ANU MALHOTRA, J

MARCH 07, 2018
NC