

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

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CRM-M-48597-2019

Date of decision: 25.11.2019

Amir Khann @ Pillu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Amit Arora, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G. Haryana.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.401 dated 28.11.2018 under Sections 420, 489-A, 489-B and 489-C of the Indian Penal Code, 1860 registered at Police Station Civil Lines Bhiwani, District Bhiwani.

Learned State counsel has appeared and opposed the bail application.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has argued that the recovery of fake currency notes was made from the possession of co-accused-Nafe Singh and Randhir Singh @ Dheera who are alleged to have possessed and used fake currency notes as genuine. No recovery was made from the possession of the petitioner. The petitioner is alleged to have printed fake currency notes and his computer and printer was seized by the police and sent to FSL but FSL report has not been received so far. There is no material against the petitioner to show his complicity in the commission of the crime. Co-accused-Nafe Singh and Randhir Singh @ Dheera have already been granted bail by this Court

vide orders dated 30.09.2019. Material witnesses PW-2 Devender, PW-3 Vijay Kumar and PW-4 Madan have not supported the case of the prosecution. Trial is likely to take long time. Therefore, the petitioner may be ordered to be released on bail.

On the other hand, learned State counsel on instructions from ASI Umed Singh, P.S. Civil Lines Bhiwani has submitted that the petitioner is accused of having printed fake currency notes. However, learned State counsel has conceded that FSL report in respect of the computer and printer allegedly used by the petitioner has not been received so far.

Keeping in view the facts and circumstances of the case, particularly the fact that the FSL report in respect of the computer and printer allegedly used by the petitioner in printing fake currency notes has not been received so far and there is no material to show his complicity in the crime but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail till receipt of FSL report.

Therefore, the petition is allowed and the petitioner is ordered to be released on interim bail till the receipt of FSL report on furnishing of bail bonds to the satisfaction of the learned trial Court concerned. On receipt of FSL report, the petitioner shall apply for regular bail before the trial Court which shall be at liberty to decide the same in accordance with law keeping in view the FSL report.

25.11.2019

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No