

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41228-2018

Date of decision: 28.01.2019

Anmol

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

ASI Narayan Dutt.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.421 dated 05.07.2018 under Sections 489-A, 489-B, 489-C, 489-D IPC, registered at Police Station Sector-31, Faridabad, District Faridabad.

As per allegations in the FIR, the police received a secret information that a young man is having a dispute with an auto-rickshaw driver regarding fake currency note of Rs.100/- and the said person is coming towards Delhi, while sitting in another auto. On such information, the Investigating Officer started checking the passengers in the auto-rickshaws and thereafter, he apprehended the petitioner, who was identified by the secret informer. From search of the petitioner, fake currency notes of Rs.7,000/- and an amount of Rs.2,640/- of currency notes were recovered. Thereafter, while recording his disclosure statement, a scanner and other documents were also recovered from the petitioner.

As per the custody certificate dated 23.07.2018, the petitioner is in

judicial custody since 09.07.2018 and is not involved in any other case.

ASI Narayan Dutt, the Investigating Officer has submitted that the case is now fixed for recording the prosecution evidence and for awaiting the report from the FSL.

A perusal of the order dated 12.09.2018 passed by the Additional Sessions Judge shows that it is noticed that counterfeited currency notes of Rs.17,54,900/- along with two scanner printers etc. were recovered, however, a perusal of the police file, especially the reply filed before the Addl. Sessions Judge, shows that it is nowhere mentioned that such a huge quantity of currency notes was recovered from the petitioner.

On a Court query, the Investigating Officer, who is present in the Court, has stated that fake currency notes of Rs.7,000/- were recovered from the petitioner.

Without commenting anything further on merits of the case, considering the fact that the petitioner is in custody since 09.07.2018; he is not involved in any other case and also in view of the fact that FSL report is still awaited; the case is now fixed for prosecution evidence and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

28.01.2019

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No