

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

LD-VC CRIMINAL APPLICATION (BA) NO.83/2020
Namdev Fulsingh Chawhan

..VS..

State of Mah., thr. PSO Borkhedi, District Buldhana

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Office Notes, Office Memoranda of Coram,00
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri S.V.Sirpurkar, Counsel for the Applicant.
Shri N.R.Rode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : MAY 19, 2020.

1. Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.
2. Heard learned counsel Shri S.V.Sirpurkar for the applicant and learned Additional Public Prosecutor Shri N.R.Rode for the State.
3. The applicant is arrested on 20.1.2020 in connection with Crime No.19/2020 registered with Borkhedi Police Station, Buldhana for offences punishable under Sections 489-B and 489-C read with Section 34 of the Indian Penal Code and under Section 52/177 of the Motor Vehicles Act, 1988.
4. Investigation is over and chargesheet is already filed. As per the First Information Report, the applicant when was intercepted was found in possession of currency

notes of Rs.2,000/- which are counterfeit.

5. Section 489-C pertains to possession of forged or counterfeit currency notes. However, the said offence is bailable offence. Offence punishable under Section 489-B is a non bailable offence and for that there should be material to show that the person charged with such an offence has used or tried to use such counterfeit.

6. *Prima facie* chargesheet does not disclose anything to attract provisions of Section 489-B of the Indian Penal Code.

7. In this view of the matter, I pass following order:-

ORDER

(1) The criminal application is allowed.

(2) Applicant-Namdev Fulsingh Chawhan, in connection with Crime No.19/2020 registered with Borkhedi Police Station, Buldhana for offences punishable under Sections 489-B and 489-C read with Section 34 of the Indian Penal Code and under Section 52/177 of the Motor Vehicles Act, 1988, be released on bail his executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(3) The applicant shall attend the police station once in a month, till conclusion of the Trial.

(4) The criminal application stands disposed of accordingly.

(5) The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

!! BRW !!

Bhushan
Wankhede

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