

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

206

**CRM-M-2537-2020 (O&M)
Date of decision : 12.06.2020**

Brijesh Mishra

Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jagdish Manchanda, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video-conferencing.

CRM-13198-2020

Prayer in the application filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') is for placing on record copies of orders dated 21.05.2020 passed in CRM-M-52782-2019 and CRM-M-53227-2019 as Annexures A-1 and A-2 and exemption from filing certified copies of the same.

For the reasons mentioned in the application, the same is allowed and the petitioner is exempted from filing certified copies of orders dated 21.05.2020 passed in CRM-M-52782-2019 and CRM-M-53227-2019 which are taken on record as Annexures A-1 and A-2.

CRM-M-2537-2020

The petitioner has filed present petition under Section 439 of the Cr.P.C. for grant of regular bail to him in case FIR No290 dated 19.05.2019 registered under Sections 420, 467, 468, 471, 232, 233, 234, 235, 238, 239, 240, 247, 249, 201 and 120-B read with Section 34 of the Indian Penal Code, 1860 at Police Station Suraj Kund, District Faridabad.

The above-said FIR was lodged on statement of Head Constable Sushil Kumar that on 19.05.2019 they received secret information that Subhash, Nasir Ali, Rakesh Bhati and Dipali have manufactured counterfeit coins of the denomination of Rs.5/- and they are supplying the same in various markets by travelling in Innova car bearing registration No.DL-ICQ-5327 and if nakabandi was conducted they could be caught red handed. Accordingly on nakabandi by the police party the above-said accused persons were apprehended and recovery of 50000 counterfeit coins of the total denomination of Rs.2,50,000/- was made from their car.

The petitioner being in custody since 27.05.2019 has filed the present petition for grant of regular bail.

Copy of the petition has already been supplied to learned State Counsel who has opposed the same.

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

Learned Counsel for the petitioner has argued that the petitioner was not named in the FIR and has been falsely implicated in the case on the basis of disclosure statement made by the co-accused. Nothing was recovered from the petitioner. The petitioner is not involved in any other case of similar nature. Co-accused Rakesh Bhati and Subhash have been granted bail by the Coordinate Bench of this Court vide orders dated 21.05.2020. The trial is likely to take long time. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has argued that the petitioner having committed heinous offences does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, parity with co-accused Rakesh Bhati and Subhash who have been granted bail by the Coordinate Bench of this Court vide orders dated 21.05.2020 and the fact that trial is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner

deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.06.2020

Kothiwal

(ARUN KUMAR TYAGI)
JUDGE

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