

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

208

**CRM-M No.7784 of 2020
Date of decision:16.11.2020**

Jagdish Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.J.S.Sandhu, Advocate
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

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

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No. 165 dated 5.9.2019 registered under Sections 489-B and 489-C IPC at Police Station Kotwali District Bathinda.

FIR was registered on the basis of secret information to the effect that one girl, namely, Ramanjit Kaur was involved in preparing fake counterfeit currency. On the basis of secret information, she was apprehended on 5.9.2019. Two counterfeit notes of Rs.100/- and three notes of Rs.200/- were

recovered from her. On the basis of her disclosure statement, petitioner was apprehended on 5.9.2019 and counterfeit currency of Rs.10,05,400/-, printer and scanner were recovered from him. Challan has already been presented.

Learned counsel for the petitioner submitted that co-accused Ramanjit Kaur has already been granted regular bail by this Court vide order dated 21.1.2020 passed in CRM-M No. 49842 of 2019. Working mechanism of printer and scanner would remain debatable as the prosecution has not subjected the same to any expert opinion or technical analysis. Petitioner is not involved in any other case. He is in custody for the last one year, two months and five days as on 13.11.2020.

Per contra, learned State counsel, on instructions, has not disputed the factual position on record. However, he opposed the bail as per prosecution case. Mere possession of counterfeit currency is bailable offence in terms of Section 489-C IPC. Offence under Section 489-B IPC would remain debatable in view of police investigation in respect of use of printer, scanner and paper allegedly recovered from the petitioner.

Keeping in view the custody of the petitioner and prevailing situation arising out of pandemic Covid-19, it would be just and appropriate to grant regular bail to the petitioner.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

November 16 , 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No