

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

CRM-M-14670-2020 (O&M)

Date of decision: 15.10.2020

Rajdeep Singh @ Raja

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 29 dated 22.03.2020 registered under Sections 489-A, 489-B, 489-C, 489-D, 489-E, 420 IPC and Section 22 of the NDPS Act, at Police Station Nandgarh, District Bathinda.

Learned counsel for the petitioner submits that the present FIR was got registered on a secret information that the petitioner was habitual of selling intoxicant tablets and counterfeit currency at half rates and he was shown to have been apprehended with 40 tablets of Alprasafe 0.5 and counterfeit currency of Rs. 11,700/-. He submits that the alleged recovered contraband falls under the non-commercial quantity and the allegations

regarding the recovery of counterfeit currency were levelled only to make the offence more serious. Moreover, it is not the case of prosecution that the petitioner has been apprehended alongwith counterfeit currency and the instrument/machine etc. used for preparing the counterfeit currency.

Learned counsel for the petitioner further submits that the petitioner has falsely been implicated in the present case and that the alleged recovery has been planted upon him. The petitioner has been in custody since 22.03.2020 and no other case is against him. Even if the allegations are taken to be correct, the offences falls under Section 489-C IPC, which is bailable.

In support of his assertions, the learned counsel for the petitioner relies upon the order dated 06.03.2020 passed in **CRM-M-5027-2020** titled as **Rohit @ Raman Vs. State of Haryana** by a Coordinate Bench.

Copy of custody certificate by way of affidavit dated 14.10.2020 of the Deputy Superintendent, Central Jail, Bathinda, submitted by the learned State counsel through email, is taken on record.

While opposing the petition, learned State counsel has submitted that since a huge amount of fake currency notes was recovered from the petitioner, no case for grant of bail is made out. He, however, states that the petitioner is not involved in any other case. The recovery of 40 tablets of Alprasafe 0.5 and counterfeit currency of Rs. 11,700/- have been effected from the petitioner.

I have heard the learned counsel for the parties.

It would certainly be debatable as to whether offence under Sections 489-A, 489-B, 489-D, 489-E, 420 IPC would be attracted in the present case or not. In any case since the petitioner has been behind bars since 22.03.2020 and that the petitioner is not even wanted in any other case. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

15.10.2020

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No