

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

CRM-M-31733-2020

Date of Decision: 19.11.2020

PRASHANT GAUTAM @ KAKA

....PETITIONER

Versus

STATE OF U.T., CHANDIGARH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Sumit Saddi, Advocate for the petitioner.

Mr. Ashu Mohan Punchhi, PP, UT, Chandigarh.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.136 dated 11.09.2020, under Section 489-B and 489-C of IPC, registered at Police Station Maloya, Chandigarh.

As per the prosecution, on 11.09.2020 at about 7:30 p.m. on the basis of secret information, police party apprehended one pedestrian, namely Prashant Gautam @ Kaka (petitioner herein) and recovered Rs.100X6=600 fake Indian currency notes. During investigation, he disclosed that he obtained these currency notes from one Neeraj @ Rassgulla and his friend Suryavanshi. He also disclosed that he paid Rs.9000/- of original Indian currency against Rs.18,000/- fake Indian currency notes. Further 16 fake currency notes of the same denomination were recovered from the residence of the petitioner in

pursuant to his disclosure statement.

Learned counsel for the petitioner has contended that petitioner has been falsely implicated in the present case. He further contended that the petitioner who is 19 years of age, could not detect the alleged currency notes as he is suffering from anisometropic amblyopia, which causes chronic blur due to which he could not differentiate any colour etc.. Challan has been filed and the charges have already been framed and the present petitioner is no more required for any further investigation purpose. The petitioner has been in custody since 15.09.2020, the concession of bail be extended to him.

Learned State counsel though opposed the prayer made by the petitioner but could not dispute the aforesaid facts.

I have heard learned counsel for the parties and with their kind assistance, have gone through the record of case.

Keeping in view the totality of facts & circumstances of the present case and the fact that the trial of the case will take long time to conclude, no useful purpose would be served by keeping the petitioner in custody further, since he is already behind bars since 15.09.2020, the present petition is allowed.

The petitioner is ordered to be released on bail on his furnishing adequate bail/surety bonds to the satisfaction of the trial court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 19, 2020
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(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No