

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

**CRM-M-7844-2021
Date of decision: 23.02.2021**

Sarabjeet Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naveen Gupta, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 196 dated 18.09.2020, registered under Sections 489-A, 489-B, 489-C (Sections 489D, 420 & 120-B of the IPC added later on) at Police Station Barara, District Ambala.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner had gone to a shop to purchase some grocery items and the shopkeeper noticed that the currency note of Rs. 2,000/-, given by the petitioner, was in fact a counterfeit note. Upon this, some people gathered there and caught hold of petitioner and her husband Gurdev Singh.

Learned counsel further submits that later on, the police, during investigation, recovered three other counterfeit notes of Rs. 2,000/- from the husband of the petitioner, however, no subsequent recovery was made from the petitioner.

Learned counsel further submits that the petitioner as well as

her husband are in judicial custody and there is no one to look after the family affairs. It is further submitted that petitioner is a lady, aged about 47 years and she is not involved in any other case.

Learned counsel further submits that petitioner is in judicial custody since 07.10.2020 and recovery has already been effected.

It is further submitted that so far as the allegations against the petitioner are concerned, the only offence under Section 489-C IPC is made out, which is bailable as the other allegations are primarily against her husband Gurdev Singh.

Learned State counsel has filed the custody certificate and has not disputed the fact that *challan* stands presented and no subsequent recovery was effected from the petitioner as the recovery of other three counterfeit notes and printer etc. As per custody certificate, the petitioner is not involved in any other case and she is in judicial custody since 07.10.2020.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 07.10.2020; she is not involved in any other case and also in view of the fact that conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

23.02.2021

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

(ARVIND SINGH SANGWAN)

JUDGE

*Yes/No
Yes/No*