

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

CRM-M-12064-2021 (O&M)

Date of decision: 31.08.2021

Tajinder Singh @ Bawa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. G.S. Verma, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This second petition for regular bail has been filed by petitioner Tajinder Singh @ Bawa, an accused in FIR No.97 dated 29.05.2020, for offences under Sections 489-A, 489-B, 489-C, 489-D, 489-E of IPC, registered with Police Station Jodhewal, District Ludhiana.

Briefly stated the prosecution story is that on 29.5.2020, a police party while on patrol duty had been present near Jodha Chonwnki received a secret information that Bhupinder Singh son of Rashpal Singh, resident of Alpur Road, Ludhiana, Gurdev Singh son of Karnail Singh, resident of Bhammi Khurd, Ludhiana, Amar Singh son of Nahar Singh, resident of Village Kakowal, Ludhiana besides Tejinder Singh @ Bawa son of Avtar Singh (present petitioner), resident of Village Kakka, Ludhiana were engaged in printing of counterfeit Indian currency notes and they had

been using computer along with accessories for that purpose and they were roaming about near area of Rahon road Janata Colony for the purpose of using such fake currency notes as genuine. Accordingly, finding information to be liable, commission of offences under Sections 489-A,B,C,D,E of IPC, ruqa was sent to Police Station Jodhewal, Ludhiana by SI Daljit Singh, Incharge of Police Party on the basis of which formal F.I.R was registered. Amar Singh along with Bhupinder Singh accused were arrested. From possession of Amar Singh, 12 counterfeit Indian currency notes were recovered. On the basis of disclosure statement suffered by co-accused of petitioner, printer, scanner and material used for printing fake currency notes were recovered from present petitioner Tajinder Singh. On completion of investigation, the challan has been filed in the Court on 24.7.2020 though charge in this case is yet to be framed. The next date of hearing before the trial Court is stated to be 07.09.2021.

Petitioner-accused Tajinder Singh @ Bawa had filed a petition for regular bail before the Court of Sessions at Ludhiana but was unsuccessful. Therefore, he had approached this Court on an earlier occasion also but was not granted bail. He has come to this Court again praying for grant of regular bail, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

As per custody certificate filed on behalf of the State, the petitioner is behind bars for a period of 01 years, 02 months and 26 days. Though, the challan against the petitioner and his co-accused has been filed in the Court but even formal charge has not been framed against the

accused so far. In that way, the conclusion of trial is likely to take considerable time, more particular, when the normal working in the Courts has been adversely affected on account of unprecedented situation arising on account of outbreak of COVID-19 pandemic. The guilt of the petitioner shall be determined during the trial. The co-accused of the present petitioner, namely Amar Singh has been granted regular bail by this Court, vide order dated 23.02.2021 in CRM-M-27943-2020. Without going into depth in merits of the case, I find it proper and appropriate to grant the benefit of regular bail to the petitioner. Therefore, the petition is accepted. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Ludhiana, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;
- (iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;
- (v) he shall join the investigation as and when directed by the Investigating Officer;
- (vi) he shall get his presence marked in the local police station on every Saturday of the week between 11.00 A.M. to 2.00 P.M. so that an eye can be kept on his movements and he is deterred from indulging in any criminal activity.

The Court accepting the bonds is to ensure that the surety furnished by the petitioner is local one, having documentary proof of the sufficient immovable property within jurisdiction of the said Court. An endorsement be made on the title deed of the property that the said person

has stood as a surety for the petitioner. A copy of that document be retained on the record of the Court. Photographs of the surety, accused and attesting witnesses be also obtained and placed on record.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

31.08.2021
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No