

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

CRM-M-20439 of 2021

DATE OF DECISION :- July 27, 2021

Uma Shankar

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. Anurag Jain, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

The case has been taken up through Video Conferencing.

This petition for regular bail has been filed by petitioner Uma Shankar son of Sh. Chhote Lal, aged 37 years, resident of Village Shyampur Kutraha, Police Station Noutan, West Champaran, District Bihar, an accused in F.I.R. No. 437 dated 10.7.2019 registered with Police Station City Hansi, District Hisar for offences under Sections 489-A, 489-B, 489-C, 201 IPC.

Briefly stated the facts of the case as per prosecution story are that on 10.7.2019, a police party while being present at Bus Stand Hansi received secret information that Rohtas son of Tek Ram, resident of Bhatol, Jatan, Narnaund was coming in a private vehicle having fake currency and he would alight near Kali Devi Mandir for the purpose of exchanging the counterfeit currency notes with genuine ones. On receipt of that information, a raiding party was constituted. The vehicle was intercepted in

which Rohtash was sitting. His search revealed that he was carrying counterfeit Indian Currency notes.

Formal F.I.R. was registered. Investigation in the case was started. Vinod @ Nodi was arrested on 17.7.2019. Virender Parshad was arrested on 9.11.2020. The present petitioner Uma Shankar was arrested on 13.11.2020. The investigation revealed that Uma Shankar had received counterfeit currency notes of Rs.2000/- denomination from one Nepali, which he had been using as genuine supplying those further. As per prosecution version, the petitioner had got recovered counterfeit currency notes of Rs.500/- from his house. On completion of investigation, the challan against the accused is said to have been filed on 14.1.2021 though charge in the case is yet to be framed. The petitioner had filed a petition for regular bail in the Court of Sessions at Hisar seeking regular bail. His such application, which was assigned to Additional Sessions Judge, Hisar was, however, dismissed vide order dated 16.4.2021, as such he has approached this Court craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

The recovery in this case has already been effected. The petitioner is not shown to have any past criminal record. He is behind bars since 13.11.2020. His guilt shall be determined during the trial. Though the challan in this case is said to have been filed but charge is yet to be framed. The conclusion of trial is likely to take some time especially when the functioning of Courts has been hampered on account of outbreak of Covid-19, therefore, the petition calls for acceptance, the same is allowed.

Petitioner Uma Shankar is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Hisar 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 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.
- (iv) he shall not indulge in any criminal activity.
- (v) 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.

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.

(H.S. MADAAN)
JUDGE

July 27, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No