

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

CRM-M-27943 of 2020

DATE OF DECISION :- February 23, 2021

Amar Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. S.S. Grewal, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab

This petition for regular bail has been filed by petitioner Amar Singh, aged about 35 years, son of Nahar Singh, resident of Village Kakowal, Tehsil and District Ludhiana, an accused in F.I.R. No.97 dated 29.5.2020 registered with Police Station Jodhewal, Police Commisionate, District Ludhiana for offences under Sections 489-A,B,C,D,E of IPC.

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 (present petitioner) son of Nahar Singh, resident of Village Kakowal, Ludhiana besides Tejinder Singh @ Bawa son of Avtar Singh, 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. Petitioner Amar Singh along with Bhupinder Singh accused were arrested. From possession of petitioner 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 co-accused 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 25.2.2021. Petitioner accused had filed an application for grant of regular bail before the Court of Sessions at Ludhiana. His such application was assigned to Additional Sessions Judge-1, Ludhiana, who vide order dated 7.9.2020 had, however, dismissed the application. Feeling aggrieved, he has approached this Court praying for grant of similar relief, which request is being opposed by the learned State counsel.

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

The petitioner is in custody since 29.5.2020. Though on completion of investigation challan has been filed but charge is yet to be framed. In that way, completion of trial is likely to take considerable time. The guilt of the accused shall be determined during the trial. As per custody certificate placed on file by the State counsel the petitioner is not shown to be involved in any other criminal case. Even as per the prosecution story petitioner was found in possession of counterfeit Indian currency notes and

the machinery and implements used for printing such counterfeit currency notes had not been recovered from him.

Thus without going deep with regard to merits of the case, I find that the petition deserves to be accepted and it is hereby allowed. Petitioner Amar Singh 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, 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 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 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.

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. MADAN)
JUDGE

February 23, 2021

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No