

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

209

CRM-M No.37638 of 2021
Date of decision:17.09.2021

Pankaj @ Panki

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vishal Aggarwal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL J. (ORAL)

This is the first petition filed by the petitioner under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.206 dated 30.07.2020 registered under Sections 420, 489-A, 489-B and 489-C of IPC, 1860 at Police Station Parao Ambala Cantt., Ambala, Annexure P-1.

As per the version of the prosecution, FIR, Annexure P-1, has been registered on the allegation that Pankaj @ Panki (present petitioner) and Sagar were travelling in a vehicle with counterfeit currency notes. They were apprehended and 175 counterfeit currency notes of Rs.2000/- each totalling Rs.3,50,000/- were recovered.

Counsel for the petitioner submits that petitioner has been falsely framed as the printer, which has allegedly been used for the printing of counterfeit currency notes, was recovered from co-accused, Sagar, and was supplied by co-accused, Sachin, who has been released on regular bail by this Court vide order dated 24.03.2021, Annexure P-2, passed in CRM-M-26512-2020. Counsel submits that the petitioner, who has clean antecedents is no longer required for custodial interrogation as investigation qua him is complete and as he is in incarceration since 30.07.2020, deserves to be enlarged on bail.

Per contra, learned State counsel upon instructions from ASI Jai Singh, has opposed the petition and submitted that the recovery of the counterfeit currency notes was effected from the *dashboard* of the car, which was being driven and owned by the petitioner. He submits that considering the severity of the punishment of offences involving Section 489-B of IPC, the petitioner does not deserve the concession of bail. According to the counsel, the prosecution is in possession of sufficient material to establish the guilt of the petitioner. Upon further instructions, he submits that challan has been presented on 16.10.2020 and the charge has recently been framed on 15.09.2021 and the prosecution evidence is yet to start.

Having considered the facts and circumstances of the case, in particular, the custody period of more than one year and one month, clean antecedents of the petitioner and the fact that the trial is at its initial stage, this Court is *prima facie* of the view that the petitioner deserves to be enlarged on bail during the pendency of the trial.

Without commenting upon the merits or de-merits of the arguments addressed by the counsel for the parties, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

17.09.2021*sheetal***(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No