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

**CRM-M No.37446 of 2021
Date of Decision: 21.09.2021**

Karamjit Singh @ Lakha

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. S.K Singla, Advocate
for the petitioner.

Mr. Bhupender Beniwal, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.128 dated 12.07.2021, registered under Section 489-A IPC, at Police Station Dharamkot, District Moga.

The FIR was registered on the basis of secret information that the petitioner after purchasing fake Indian currency from Gurcharan Singh @ Fauji (posted as Guard at SBI Bank) is going from Kasba Shahkot, towards Dharamkot City for using the said counterfeit currency in the market. Naka was installed and petitioner was apprehended. In his disclosure

statement, he nominated Gurcharan Singh @ Fauji. Offence under Section 489-A IPC has been alleged against the petitioner.

Learned counsel for the petitioner submits that offence under Section 489-A IPC is not attracted as the petitioner is not involved in performing any part of the process of the counterfeiting any currency note or bank note. At the most allegation is of possession of counterfeit currency which falls under Section 489-C IPC and the same is bailable.

Learned State counsel could not dispute the factum of possession of counterfeit currency i.e. Rs.41,000/- of different denomination with the petitioner. The complicity of the petitioner who is in custody since 12.07.2021 would remain debatable at the threshold of Section 489-A IPC. Offence under Section 489-C IPC relates to possession of forged or counterfeit or bank notes which is bailable in nature.

At this stage without commenting upon the merits of the case, it would be just and appropriate to direct the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to

be an expression of any opinion on merits of the case.

21.09.2021

Amandeep

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No