

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CRM-M-41158-2021

Date of decision : 07.12.2021

Amir Khan @ Pillu

... Petitioner

Versus

State of Haryana

... Respondent

***CORAM: HON'BLE MR.JUSTICE VIKAS BAHL***

Present: Mr.Amit Arora, Advocate  
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

**(Through Video Conferencing)**

**VIKAS BAHL, J.(ORAL)**

This is a second petition under Section 439 Cr.P.C. with a prayer for releasing the petitioner on regular bail in FIR no.401 dated 28.11.2018 registered under Sections 420, 489-A, 489-B, 489-C IPC at Police Station Civil Lines Bhiwani, District Bhiwani.

Learned counsel for the petitioner has submitted that in the present case, the recovery of fake/counterfeit currency notes of Rs.3 lacs has been made from one Nafe Singh and said Nafe Singh has been granted regular bail by a co-ordinate Bench of this court vide order dated 30.09.2019 passed in CRM-M-28083-2019. It is further submitted that the petitioner was not named in the FIR and was made an accused in the present case on the basis of disclosure statement of co-accused Nafe Singh and Randhir Singh. It is further submitted that as is apparent from the order

dated 30.09.2019 passed by a co-ordinate Bench of this Court that PW-2 Devender (complainant), PW-3 Vijay Kumar and PW-4 Madan, i.e. the material witnesses have not supported the case of the prosecution. It is further submitted that the petitioner is in custody since 29.11.2018. It is further submitted that the petitioner was on interim bail from 25.11.2019 to 25.09.2021. It is further submitted that in the present case, challan has already been presented and recoveries have already been made and thus, no useful purpose would be served by keeping the petitioner in custody any more and the petitioner is not involved in any other case.

Learned State counsel has opposed the petition for regular bail and has submitted that the computer and printer, which were allegedly using for printing the fake / counterfeit currency notes, belong to the petitioner and as per the case of the prosecution, an amount of Rs.80,000/- has been paid to the petitioner for printing the fake currency notes.

Learned counsel for the petitioner, in rebuttal, has submitted that in fact, the petitioner runs a computer centre in the name of "ITC" and thus, it would be an arguable point as to whether or not the petitioner had consciously had permitted the computer and printer to be used for the alleged offence.

This Court has heard learned counsel for the parties.

It is not in dispute that it is Nafe Singh from whom counterfeit / fake currency notes to the tune of Rs.3 lacs were recovered and said Nafe Singh has been granted regular bail by a co-ordinate Bench of this court vide order dated 30.09.2019 passed in CRM-M-28083-2019. In the said order, it has been observed that star witnesses PW-2 Devender (complainant), PW-3 Vijay Kumar and PW-4 Madan have not supported the

case of the prosecution. The petitioner has been made an accused on the basis of disclosure statement made by co-accused. Although the computer and printer belonging to the petitioner have been used for printing the fake currency notes but it would be a matter of trial as to whether the petitioner, who is stated to run a computer centre, was involved in printing the fake currency notes using the said computer and printers or if it was other accused persons, who had printed the same using the computer and printer in question, without his knowledge. The petitioner has been in custody since 29.11.2018, and the challan in the present case has already been filed, and although the petitioner was on interim bail from 25.11.2019 to 25.09.2021 but even keeping that aside the petitioner has already undergone substantial custody and, the petitioner is not involved in any other case.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to his not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

**(VIKAS BAHL)**  
**JUDGE**

**December 07, 2021**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No