

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-40821-2020 (O&M)

Date of Decision:- 26.3.2021

Gurjant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gursimran Singh Bawa, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balkar Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.27, dated 20.3.2012, Police Station Chantiwind, District Amritsar (Rural), under Sections 489-A, 489-C, 489-D, 489-E IPC.
2. The case of the prosecution, in nutshell, is that pursuant to receipt of secret information by the police, a raid was conducted at the house of the petitioner from where counterfeit currency notes worth ₹15,000/- were recovered.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that since he has been behind bars for a substantial period, he deserves the concession of bail.

4. Opposing the petition, learned State counsel has submitted that since the petitioner had earlier misused the concession of bail and was declared a 'Proclaimed Offender' on 9.9.2014 and came to be re-arrested only after about 5 years i.e. on 3.4.2019, the petitioner does not deserve the concession of bail. It has however, been submitted that since the petitioner stands involved in one more identical case, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Although there are specific allegations against the accused and it is also not disputed that he had earlier been declared a 'Proclaimed Offender' but after his re-arrest, the petitioner has been behind bars for a substantial period of 1 year, 11 months and 20 days. The said long custody can be said to be sufficient deterrent to the petitioner to be more careful in future. In these circumstances, further detention of the petitioner who has already undergone a substantial period would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 26, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No