

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

**CRM-M-205-2021(O&M)
Date of decision : 06.01.2021**

Gurmeet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kuldip Singh, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.145 dated 06.09.2020 under Sections 489-A, 489-B and 489-C of the Indian Penal Code, 1860 registered at Police Station Jaito, District Faridkot.

Learned counsel for the petitioner would contend that the petitioner has falsely been implicated in the case and that the FIR was registered on the basis of secret information and the petitioner was not present at the spot.

Notice of motion.

On the asking of the Court, Mr. V.G. Jauhar, Sr. DAG, Punjab, who has joined the session through video conferencing, accepts notice on behalf of the respondent-State and he on instructions from ASI

Sukhwinder Singh, has stated that ₹5 Lacs worth of fake currency notes were recovered from the house of the petitioner and further that the petitioner is involved in another case bearing FIR No.139 dated 11.06.2019 registered under Sections under Sections 489-A, 489-B, 489-C and 489-D of the Indian Penal Code, 1860 in which he was granted concession of bail. It is further the contention of learned counsel for the State that the petitioner, who was granted concession of bail, has clearly misused the concession granted to him and has committed the present offence.

I have heard learned counsel for the parties.

The present FIR was registered on the basis of secret information received from SI Kulbir Chand to the effect that Gurmit Singh son of Bachan Singh, Jaswant Singh @ Raja, Vijay son of Manna Singh and Rajpal son of Jangir Ram were making fake currency notes and, thereafter, using the same in the market as original. The information further revealed that the said accused were coming from Village Rori Kapura to Jaitu Mandi with the fake currency notes with an intention to use the same and that they were coming on a motorcycle bearing registration No.PB-04T-1906 and an Activa without a number plate and if a Nakabandi was laid on Muktsar-Jaitu Road, Bus Stand village Ramuwala, they could be apprehended along with the fake currency notes. The Naka was accordingly laid and the accused, Rajpal and Jaswant Singh @ Raja, were apprehended while they were coming on the motorcycle, whereas the accused, Gurmit Singh and Vijay, who were coming on the Activa, succeeded in fleeing from the spot. On checking, fake currency notes of ₹21000/- were recovered from Rajpal and fake

currency note worth ₹15000/- were recovered from the accused Jaswant Singh @ Raja. Thereafter, a raid was conducted at the house of Gurmit Singh, petitioner herein, where his father was found present and on searching the house, fake currency notes of ₹5,02,900/- were recovered. The petitioner was earlier also involved in a similar case and FIR No.139 dated 11.06.2019 was registered against him under Sections 489-A, 489-B, 489-C and 489-D of the Indian Penal Code, 1860. The petitioner is stated to have been granted the concession of bail in the said matter and, while on bail, the present offence is alleged to have been committed. Clearly, the petitioner is misusing the concession of bail.

Keeping in mind the nature of the offence and the antecedents of the petitioner, I do not deem this to be a fit case for grant of anticipatory bail to the petitioner. The present petition is hence dismissed.

It is made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

06.01.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO