

(VIA VIDEO-CONFERENCING)

* IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on : 26.07.2021
% Pronounced on : 18.08.2021

+ BAIL APPLN. 1824/2021

PRITHU JHA

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with
Mr. Ujjawal Jha, Adv.

Versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Ms. Rajni Gupta, App with SI
Avdesh, P.S.Geeta Colony.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

RAJNISH BHATNAGAR, J.

1. The present bail application has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No. 57/2021 under Sections 489C/489B/120B/34 IPC registered at Police Station Geeta Colony.

2. In brief, the facts of the case are that on 19.2.2021 two persons namely Harshit Arora, aged 25 years and Mukesh aged 27 years, were arrested on the secret information and fake Indian currency of Rs.6000/- (200x30) was recovered from the possession of accused Harshit Arora and Rs. 7000/- (200x35) was recovered from the possession of accused Mukesh,

and on this the abovesaid FIR was got registered at P.S. Geeta Colony under Section 489C/34 IPC.

3. It is alleged that during the course of investigation, both the accused persons disclosed that they gave original Indian currency note of Rs.10,000/- and received total fake Indian currency note of an amount of Rs.20,000/- from one Arihant Jain. It is further alleged that after interrogation of accused persons Section 489B was added in this case and both the accused persons Harshit Arora and Mukesh were arrested under Section 489B/489C/34 IPC. At the instance of accused persons Harshit Arora and Mukesh two more co-accused namely Arihant Jain and Abhishek Jain were arrested and fake Indian currency of rupees 6000/- (200x30) was recovered from the possession of accused Arihant Jain and rupees 5000/- (200x25) was recovered from the possession of accused Abhishek Jain. It is further alleged that both the accused persons Arihant and Abhishek were interrogated and they disclosed that they received fake currency from Prithu and Akki who are residing in Patna, Bihar.

4. It is submitted by learned senior counsel for the petitioner that petitioner is a young boy and has been falsely implicated in this case. It is further submitted by him that the investigation is complete and chargesheet has been filed. It is further submitted that no recovery has been effected from the petitioner even after two days of PC remand. It is further submitted by learned senior counsel for the petitioner that petitioner is pursuing degree course in Business Administration from a college at Dehradun, and he is in judicial custody since 9.3.2021.

5. On the other hand, it is submitted by learned APP that fake currency of Rs.57,000/- has been recovered, and co-accused Abhishek Jain and Arihant Jain have been arrested for sale purchase of fake currency. It is further submitted by learned APP that the offence is serious in nature, and there is other overwhelming evidence against the petitioner and two co-accused persons are to be arrested in this case.

6. In the instant case, petitioner is in judicial custody since 9.3.2021, chargesheet has already been filed, and as per prosecution no fake currency note has been recovered from him. As far as question of arrest of other co-accused is concerned, that cannot be a sole ground to disallow the bail application. Therefore, petitioner is admitted to bail, on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of trial court concerned.

7. The application stands disposed of accordingly.

8. Nothing stated hereinabove shall tantamount to the expression of any opinion on the merits of the case.

RAJNISH BHATNAGAR, J

AUGUST 18, 2021/ib