

(218) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10249-2022

Date of Decision: 19.09.2022

RAVI @ RAFI

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Fariad Singh Virk, Advocate
for the petitioner.

Mr. Jaiteshwar Singh, Asst. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C is for the grant of regular bail in case bearing FIR No.134 dated 26.05.2021 registered under Sections 420, 489-A, 489-B, 489-C, 489-D, 489-E, 120-B IPC, 1860 at Police Station Sadar, Patiala.

2. The brief facts of the case are that while the police party was on patrolling duty, they received a tip-off that Jasvir Singh alias Jassi son of Gobind Singh and Harwnder Singh alias Pintu son of Jarnail Singh in connivance with each other used to manufacture fake Indian currency with the help of a mobile, printer/scanner at the rented accommodation of Harwinder Singh alias Pintu and through their acquaintances namely, Priyajit Kaur alias Lovely wife of Jarnail Singh and Ravi alias Rafi (the present petitioner) were circulating the prepared fake currency in the market as original currency thereby duping the common public. Jasvir Singh alias Jassi

was stated to be the master-mind. If a raid was conducted at the rented accommodation of Harwinder Singh alias Pintu, then the aforementioned persons could be caught red-handed. Based on the said allegations, the present FIR came to be registered and the petitioner and his co-accused came to be arrested.

3. The learned counsel for the petitioner contends that the petitioner has been nominated on the basis of a disclosure statement of Harwinder Singh alias Pintu. Subsequent thereto, the petitioner was arrested and is said to have made a disclosure statement to the Investigating Agency. He contends that the allegations as levelled against the petitioner would reveal that none of the offences as mentioned in the FIR are applicable to the petitioner as the petitioner has neither been found counterfeiting nor been found involved in any part of the manufacturing process. Further, he has neither sold nor received currency knowing it to be counterfeit. He contends that the petitioner was arrested on 26.05.2021 and only 02 out of the 16 prosecution witnesses have been examined so far. He is a first-time offender with no prior antecedents and keeping in view the stage of the trial and period of custody undergone by the petitioner, he deserves the concession of regular bail.

4. On the other hand, the learned State counsel contends that recovery of notes was effected from the petitioner. Two witnesses already stands examined and the serious nature of the allegations do not entitle the petitioner to the grant of regular bail.

5. I have heard the learned counsel for both the parties at length.

6. Admittedly, the petitioner has been in custody since 26.05.2022 and only 02 out of 16 prosecution witnesses have been examined so far and therefore, the trial of the present case is not likely to be concluded in the near future. He is a first-time offender with clean antecedents. In such a situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Ravi @ Rafi son of Amrik Singh is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present one.

9. In addition, the petitioner shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.09.2022

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No