

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21636-2022

Date of decision : 16.12.2022

Iliyas Khan

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Lekhraj Nandal, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.253 dated 23.9.2019 registered under Sections 420, 489-A, 489-B IPC (Sections 120-B, 170, 201, 489-C, 34 IPC added later on) at Police Station Sector 65, District Gurugram.

As per prosecution version, the police received secret information against co-accused Rafik, Jahul, Mohammad Hasim, Mubarik, Suman, Om Prakash Tyagi and Rakesh that they were indulging in the business of fake currency and thereafter, the disclosed place was raided from where co-accused Rafiq, Jahul, Mohammad Hasim and Mubarik were apprehended and fake currency notes worth Rs.14,94,000/- were recovered from their possession which were taken in its custody by the police. Later on, co-accused Rakesh was arrested and he named the present petitioner.

Counsel for the petitioner submits that the petitioner has joined

the investigation with the police in pursuance of previous order of interim

bail and further submits that the petitioner was named on the basis of the alleged disclosure made by co-accused Rakesh and even nothing was recovered from said Rakesh by the police. He further submits that the petitioner is having no criminal history.

State counsel on instructions from SI Krishan Kumar has admitted that the petitioner joined the investigation with the police and that he is having no criminal history and was named as accused on the basis of the disclosure made by co-accused Rakesh and no incriminating article was recovered from the possession of Rakesh also. State counsel further submits that now the petitioner is not required by the police for any further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 23.5.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

December 16, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No