

224 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-21681 of 2022(O&M)

Date of Decision: 14.09.2022

**Tirath Singh (wrongly named as Kala @ Sony in FIR)**

...Petitioner

**Versus**

**State of Punjab**

...Respondent

**CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH**

**Present:- Mr. Ramandeep, Advocate  
For the petitioner.**

**Mr. Jaspal Singh Guru, AAG Punjab.**

\*\*\*

**KARAMJIT SINGH, J.**

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 159 dated 12.08.2021, registered under Sections 420, 489-A, 489-B, 489-C, 489-D and 120-B IPC at Police Station Urban Estate, District Patiala, in which challan has been filed under Sections 420, 489-A, 489-B, 489-C, 489-D, 120-B and 212 IPC.

The brief facts of the case are that on 12.08.2021 the police received secret information against non-applicants Harpal Kaur @ Pali, Amandeep Singh @ Aman, Kala @ Sonu, Gurdeep Singh @ Laadi and some unknown persons that they were involved in preparation of fake currency notes by using different printers and other equipments and use to supply the same to different persons in lieu of original currency notes. On

the basis of the said secret information the police laid *naka* and Harpal Kaur and Amandeep Singh were apprehended and two bundles of fake currency notes of denomination of Rs.500/- each and each bundle was containing 100 notes and in total fake currency worth Rs.1 lakh was recovered from Amandeep Singh. In the same manner fake currency worth Rs.1 lakh was recovered from Harpal Kaur. During interrogation name of one Gurdeep Singh @ Laadi surfaced and then he was apprehended and from him fake currency worth Rs.47,000/- was recovered. Harpal Kaur also got recovered printers and other equipments used for preparing the fake currency from her rented accommodation in the area of Patiala along with fake currency notes of the denomination of Rs.200/-. The name of the petitioner Tirath Singh was disclosed by aforesaid Gurdeep Singh @ Laadi and then the present petitioner was arrested and fake currency notes worth Rs.4.5 lakhs were recovered from his possession. There are also allegations that the present petitioner further got recovered some more fake currency notes from the house of Gursimran Singh.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and he was nominated as accused on the basis of the alleged disclosure of co-accused. The counsel for the petitioner further submits that the petitioner is in custody for the last more than 01 year and is not having any criminal history and that during the trial the prosecution has examined all the private witnesses and now only official witnesses remain to be examined. The counsel for the petitioner further submits that co-accused Gursimran Singh, Amandeep Singh and Harpal Kaur have already been granted regular bail by the Co-ordinate Bench of this Court vide orders

Annexures P-2, P-3 and P-4 respectively. The counsel for the petitioner further submits that no purpose is going to be served by detaining the petitioner in custody for any longer period. So, prayer is made for grant of regular bail.

The present petition is contested by the State counsel who on instructions from SI Gurmit Singh submits that in the present case fake currency worth more than Rs.10 lakhs was recovered from the accused persons including the petitioner. However, the custody period of the petitioner and the fact that petitioner is not having criminal antecedents are not disputed by the State counsel. The State counsel has also admitted the fact that all the private witnesses have been examined by the prosecution and now only official witnesses are to be examined.

I have considered the submissions made by counsel for the parties.

The petitioner was not named in the FIR and he was nominated as accused on the basis of disclosure made by co-accused and is now in custody for the last more than 01 year and 28 days and is not involved in any other criminal case. The recoveries have already been affected in the present case and now the trial is going on. As per the report submitted by the trial Court private witnesses namely Hardeep Kumar, Kulbirbhushan Goyal and Sukhpal Singh have been examined as prosecution witnesses during the trial. Even the State counsel has admitted that now only official witnesses remain to be examined. So in this case if the petitioner is released on bail, there is no apprehension that he will influence the prosecution witnesses. Co-

accused Gursimran Singh, Amandeep Singh and Harpal Kaur have been

granted bail vide orders Annexures P-2, P-3 and P-4. Undoubtedly, it will take time for the trial to conclude. So no purpose is going to be served by detaining the petitioner in judicial custody for any longer period.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**14.09.2022**  
Jiten

**(KARAMJIT SINGH )**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether reportable : Yes/No**