

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

**CRM-M-32315-2021  
Date of decision: 25.02.2022**

**Gurdev Singh**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Naveen Gupta, Advocate  
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(Through video conferencing)

**ARVIND SINGH SANGWAN, J. (Oral)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 196 dated 18.09.2020, registered under Sections 489-A, 489-B, 489-C (Sections 489D, 420 & 120-B of the IPC added later on) at Police Station Barara, District Ambala.

Learned counsel for the petitioner, at the very outset, relies upon order dated 23.02.2021 passed in CRM-M-7844-2021, vide which co-accused Sarabjeet Kaur has already been granted the concession of regular bail by this Court. The operative part of the order reads as under:

“Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner had gone to a shop to purchase some grocery items and the shopkeeper noticed that the currency note of Rs. 2,000/-, given by the petitioner, was in fact a counterfeit note. Upon this, some people gathered there and caught hold of petitioner and her husband Gurdev

Singh.

Learned counsel further submits that later on, the police, during investigation, recovered three other counterfeit notes of Rs. 2,000/- from the husband of the petitioner, however, no subsequent recovery was made from the petitioner.

Learned counsel further submits that the petitioner as well as her husband are in judicial custody and there is no one to look after the family affairs. It is further submitted that petitioner is a lady, aged about 47 years and she is not involved in any other case.

Learned counsel further submits that petitioner is in judicial custody since 07.10.2020 and recovery has already been effected.

It is further submitted that so far as the allegations against the petitioner are concerned, the only offence under Section 489-C IPC is made out, which is bailable as the other allegations are primarily against her husband Gurdev Singh.

Learned State counsel has filed the custody certificate and has not disputed the fact that *challan* stands presented and no subsequent recovery was effected from the petitioner as the recovery of other three counterfeit notes and printer etc. As per custody certificate, the petitioner is not involved in any other case and she is in judicial custody since 07.10.2020.”

Learned counsel submits that the petitioner is in judicial custody for the last more than 01 year and 05 months and *challan* stands presented on 21.01.2021, however, till date, no prosecution witness has been examined due to COVID-19 situation.

Learned counsel further submits that though the petitioner stands convicted in one similar case for a period of 05 years, however, his

sentence has been suspended in the said case.

Learned State counsel has filed the custody certificate and has not disputed the factual position, however, it is submitted that as per version in the FIR, the aforesaid co-accused, who is the wife of the present petitioner, was caught with fake currency note of Rs. 2000/- and later on, three more fake currency notes of Rs.2,000/- were recovered from the petitioner. As per custody certificate, the petitioner is in judicial custody for the last 01 year, 05 months and 04 days.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in long judicial custody of more than 01 year and 05 months; co-accused has already been granted the concession of regular bail by this Court as notice above; his sentence has been suspended in the other case and also in view of the fact that conclusion of trial is likely to take some time as no prosecution witness has been examined so far, though the *challan* was presented on 21.01.2021, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

25.02.2022

*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*