

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46938-2021 (O/M)

Date of decision : 6.4.2022

Pawan Kumar alias Sethi

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Prateek Pandit, Advocate
for petitioner.

Mr. R.S. Khaira, AAG Punjab.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 123, dated 2.7.2021 registered under Sections 406, 420, 489 C, 489 D, 489 E IPC at Police Station Subhanpur, District Kapurthala.

As per allegations in FIR, a secret information was received that Pargat Singh and Harpreet Kaur @ Preeti were engaged in printing and selling fake currency. They allured the general public with the promise that their money would be doubled. The secret information disclosed that they would be coming in a Skoda car. Articles for printing fake currency as well as fake currency would be available in the car. On receipt of that information, a naka was organized and the car bearing no. PB10-DS-3700 was intercepted. It was being driven by Pargat Singh. Harpreet Kaur @ Preeti was sitting on the adjacent seat. On search of the car, one bottle of chemical Iodine solution IP and one bottle of bleaching powder weighing 20 grams were recovered. The Indian currency notes of Rs.7500/- and fake currency notes of Rs.2000/- were also recovered. 4 packets of paper chemical which were to be used to prepare 400 currency notes of denomination of Rs. 500/- were also recovered. Besides 8 packets of white papers which contained 800 sheets which were to be used to prepare 800 notes of denomination of Rs.2000/- were also recovered.

It is alleged that Pargat Singh and Harpreet Kaur @ Preeti in their disclosure statement named Mohinder Kumar Pawan Kumar (petitioner), Gurwinder Bhatti and some others. They were also implicated as accused.

It is the case of prosecution that from the petitioner and Gurwinder Bhatti, the chemical and powder used for preparing counterfeit currency notes, printer, one bottle chemical, one packet powder, 15 RAM CPU, 4 bottles ink of different colour, 50 counterfeit currency notes of denomination of Rs. 500/- each and 60 counterfeit currency notes of denomination of Rs. 2000/- each alongwith car bearing no. PB10FS8819 marka Verna were recovered.

Learned counsel for petitioner has contended that mere possession of counterfeit currency notes is bailable offence as per Section 489 C IPC. The offence under Section 420 IPC is not made out as there is no complainant who alleges that he or she has been cheated. He further argued that mere possession of paper, computer, ink, powder and printer cannot be said to attract Section 489 D IPC. There is no material relied on by prosecution to indicate that material recovered from petitioner can be or is capable of being used for preparing counterfeit currency notes. The investigation in case is complete. The petitioner is in custody since 4.7.2021. The petitioner has clean antecedents.

Considering the aforesaid facts and circumstances, no useful purpose would be served by keeping the petitioner behind bars. Hence, petition is allowed. Petitioner Pawan Kumar is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

However, if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

6.4.2022

sjks

Whether reasoned order : Yes

Whether reportable : Yes / No