

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

CRM-M No.17740 of 2023
Date of decision: 3rd October, 2023

Baldev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vipin Mahajan, Advocate for the petitioner.
Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.7 dated 12.01.2023 under Sections 489-A, 489-B, 489-C, 489-D IPC registered at Police Station Dhariwal, District Gurdaspur.

2. Learned counsel for the petitioner inter alia contends that allegedly a secret information was received qua the petitioner counterfeiting Indian currency notes in the denomination of ₹ 2000/-, ₹500/- and ₹ 100/-. Thereafter, when a raid was conducted, recovery of ₹ 1,94,300/- was allegedly effected from a bag which the petitioner was carrying at the relevant time. Learned counsel submits that no independent witness was joined, even though secret information had been received by the police and still further, it was alleged that the petitioner

had been using the printer and computer of his daughter for carrying out the crime in question. Learned counsel submits that, on the face of it, it is evidently a case of false implication as the petitioner has clean antecedents, much less not being involved in any case of similar nature. He submits that the petitioner has now been in custody since 12.01.2023 and after charges were framed on 31.07.2023, trial had not progressed further as none of the 10 witnesses cited by the prosecution had been examined till date. A prayer has therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to controvert that the investigation in the case in hand is complete and charges stand framed. It has also not been disputed that the petitioner is not involved in any other criminal case, much less a case of similar nature. He, however, submits that huge recovery of ₹ 1,94,300/- of various denominations of currency notes was effected from the possession of the petitioner, which as per the report received from the Bank Note Press, Madhya Pradesh, was found to be counterfeit currency.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has now been in custody since 12.01.2023. As many as 10 prosecution witnesses have been cited and, as also not disputed by the learned State counsel, prosecution evidence has not yet

commenced. Thus, there is no likelihood of the trial concluding in the near future. In the facts and circumstances, as enumerated hereinabove, this Court, thus, deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

October 3, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No