

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

220

**CRM-M-21173-2023  
Date of decision: 03.05.2023**

**SANDEEP SINGH**

....Petitioner

**Versus**

**STATE OF PUNJAB**

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Vikram Jeet Singh, Advocate  
for the petitioner

Mr. H. S. Sullar, Sr. DAG, Punjab.

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**AMAN CHAUDHARY. J.**

1. Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case of FIR No. 106 dated 21.07.2022, registered under Sections 489-B, 489-C, 379 and 420 IPC (Sections 489-A, 411 and 201 IPC added later on) at Police Station City Khanna, District Ludhiana.
2. Learned counsel contends that the petitioner has been in custody for the last more than 9 months. He was not apprehended at the spot and was arrested later on. He has been falsely implicated in the case. The counterfeit currency notes allegedly recovered from him had not been sent for examination. The co-accused from whom also the said currency notes were recovered and was apprehended from the spot, has been granted bail by this Court vide order dated 25.01.2023, Annexure P-2. Though, challan has been presented, but charges have not been framed and in all, there are 13 prosecution witnesses. He is involved in two more cases, however, he is on bail in those. In this regard, he relies on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir**

**Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for the last 9 months and 6 days.

4. Learned State counsel opposes the bail on the ground that the petitioner is part of a group that deals in fake currency notes which were recovered from him alongwith the printer and scanner. However, he is unable to controvert the submissions with regard to stage of the case, petitioner being on bail in two other cases and co-accused already been granted bail.

5. Heard.

6. Hon'ble The Supreme Court of India in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

7. In view of the facts and circumstances of the case, the observations made in aforesaid judgment, and that the petitioner has been in custody for the last 9 months 6 days; co-accused has already been granted regular bail; though, challan has been presented, however, charges are yet to be framed and in all, there are 13 prosecution witnesses; the trial is likely to take considerable time, his incarceration would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

8 As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the

satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
6. The petitioner shall not in any manner misuse his liberty.
7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.
9. It is made clear that in case of any infraction of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.
10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)  
JUDGE

03.05.2023

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |