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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 36299 of 2023
Date of Decision: 19.09.2023

RAVI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. K.B.S. Mann, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

.....

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
48	11.03.2023	489-A, 489-B, 489-C, IPC	Khanna City-2, Khanna, District Ludhiana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case merely because he was travelling in the car along with other co-accused on

the fateful day when fake currency notes were recovered from the dash board of the car. He submits that the petitioner is aged about 22 years, having no criminal antecedents and is neither owner nor driver of the car, as such he prays for grant of bail.

3. Learned State counsel has placed on record reply by way of affidavit of Deputy Superintendent of Police, Police District Khanna, District Ludhiana dated 11.09.2023. The same is taken on record. Copy thereof has been supplied to the learned counsel for the petitioner. Learned State counsel has opposed the bail application and submits that petitioner along with 3 other persons while travelling in the car were found in possession of fake currency note worth Rs.1,19,500/- and as such the petitioner is not entitled to concession of bail. He, however, admitted that after presentation of challan in Court, the charges have been framed on 01.07.2023, but no witness has been examined till date.

4. After considering the rival contentions and perusing the record, it transpires that as per the case of the prosecution, the instant FIR was registered on 11.03.2023 when Police party headed by SI Jagtar Singh received secret information that Nirpal Singh, Naresh Kumar, Kuldeep Singh and Ravi travelling in Swift Dezire Car No. HR-05-AJ-3839 are indulged in selling and supplying of fake currency notes, if the raid is conducted, they will be apprehended. Finding the information reliable, information was sent to police station, on the basis of which FIR was registered and thereafter raid was conducted, wherein 4 persons including the petitioner were apprehended in the said car and from the dash board of

the vehicle, fake currency notes of the denomination of Rs. 1,19,500/- were recovered and the petitioner along with other accused were arrested.

5. It is not disputed that the present petitioner is aged about 22 years having no criminal antecedents. As per the case of the prosecution the recovery of counterfeit currency notes were effected from the dash board of the car, the petitioner is not the owner of vehicle nor he has any concern with the same. Challan has already been presented in the Court and the charges have been framed but till date no witness has been examined, the criminal liability if any on the petitioner could only be determined after conclusion of trial which may take a sufficiently long time and no purpose would be served by keeping the petitioner in custody any longer.

6. Considering these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

19.09.2023

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No