

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-38867 of 2022(O&M)
Date of Decision: 30.11.2023

Hardeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Brijesh Nandan, Advocate
For the petitioner.

Mr. Rohit Ahuja, DAG Punjab.

KARAMJIT SINGH, J.

1. This is second petition filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 133 dated 11.08.2021, registered under Sections 489-A, 489-B, 489-C read with Section 34 IPC at Police Station Sadar Tarn Taran, to which offence under Section 489-D IPC was added lateron.

2. The case of the prosecution in brief is that on 11.08.2021 police received secret information against petitioner and co-accused Raman Kumar Sharma and then the police went to the disclosed spot from where both the accused were arrested while they were travelling on a motor cycle which was driven by the present petitioner while co-accused was sitting on pillion seat. On the personal search of the petitioner, 73 fake currency notes of denomination of Rs.2000/- each in total Rs.1,46,000/- were recovered by the police. On personal search of co-accused Raman Kumar, 60 fake currency notes of denomination of Rs.200/- each and 87 fake currency notes of denomination of Rs.500/- each

were recovered from him by the police. There are also allegations that

subsequently police also recovered printer, stationary material and some other articles used in manufacture of fake currency notes at the instance of both the accused.

3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is in custody for the last more than 02 years and 03 months and it will take time for the trial to conclude. It is further submitted that no other case with regard to trafficking of fake currency is pending against the petitioner. So, prayer is made that the petitioner be released on bail.

4. On the other hand, the State counsel submits that in the present case large number of fake currency notes were recovered from the accused persons and lateron recovery of printer, cutter, coloured ink and stationary used to prepare counterfeit currency notes was also effected on the pointing of the accused persons including the petitioner. It is further contended that the trial is going on and already 05 witnesses out of total 08 witnesses are examined by the prosecution. It is further contended that the petitioner is facing serious charges including offence punishable under Section 489-D IPC, which entails life imprisonment. So, prayer is made that present petition be dismissed.

5. I have considered the submissions made by counsel for the parties.

6. The recoveries of the counterfeit currency notes, printer, cutter, coloured ink and stationary are already effected in this case. The petitioner is in custody for the last more than 02 years and 03 months and it will take time for the trial to terminate. As per counsel for petitioner, no other case of similar nature is pending against the petitioner, except for one case under Narcotic Drugs and Psychotropic Substances Act, which also appears to have been registered on 21.05.2023 when the petitioner was lodged in jail. Further, it is a

matter of evidence as to whether the petitioner has committed any such offence which is punishable with life imprisonment.

7. In light of the above, no purpose is going to be served by prolonging the judicial custody of the petitioner. So, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

30.11.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No