

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

CRM-M-44581-2023

Date of Decision:13.10.2023

Rakesh

...Petitioner

vs.

State of Haryana

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. G.C Shahpuri, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 50 dated 26.02.2023 ,registered under Sections 489-B, 489-C, 34 of IPC (489-A and 489-D added later on) Police Station Sadhaura, Yamuna Nagar.

2. As per the FIR, on receipt of information from the control room of the police station, the police apprehended two persons namely Rubi Singh @ Ravi and Rakesh son of Satpal, the petitioner. On suspicion, the search was conducted and four currency notes of denomination of Rs.500/- and five currency notes of the denomination of Rs.200/- were recovered from the right side pocket of jeans of Rubi Singh @ Ravi and eight currency notes of denomination of Rs.200/- were recovered from the present petitioner. After the arrest, the accused got the place of occurrence demarcated and the petitioner got recovered counter-feit currency notes of denomination of Rs.500/- and Rs.200/- and also

got recovered torn pieces of counterfeit currency notes. Learned Counsel for the petitioner submits that he is in custody since 26.02.2023. He further contends that in the present case only the counter-feit currency notes of Rs.1600/- was allegedly recovered from the present petitioner and at the most, the offence under Section 489 Cr.PC is made out against him, which is bailable in nature. He further contends that no printer, laptop etc. were recovered from the present petitioner.

3. On the other hand learned State counsel has opposed the prayer made by learned counsel for the petitioner on the ground that counter-feit currency notes in the denomination of Rs.200 got recovered from the petitioner, which clearly shows that he was involved in printing the counter-feit currency notes.

4. I have heard the learned counsel for the parties.

5. As per the record, the petitioner was arrested in the present case on 26.02.2023 and only one witness has been examined by the prosecution so far. Learned State counsel could not place on record any evidence to show that the petitioner is in a position to influence the witnesses and there are chances of the absconding from the process of law.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday of English calender month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

13.10.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No