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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 61921 of 2023

Decided on :- 14.12.2023

NIRPAL SINGH @ HAPPY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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

Present:- Mr.Parbhinder Singh Punia, Advocate for
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 (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
48	11.03.2023	489-A, 489-B, 489-C IPC (201 IPC added lateron)	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. He
submits that alleged recovery of counterfeit currency notes to the tune of
₹1,19,500/- had been made from the dash board of the Swift Dzire car which

is not owned by the petitioner. He submits that co-accused Ravi has already been granted concession of bail by this Court vide order dated 19.09.2023 passed in CRM-M-36299 of 2023. He submits that the petitioner is in custody since 11.03.2023, challan in the case has already been presented in Court, charges have been framed on 01.07.2023 and out of 10 witnesses cited by the prosecution none has been examined, as such he prayed for grant of concession of bail.

3. Per contra, learned State counsel has opposed the bail application by arguing that considering the nature and gravity of offence, petitioner is not entitled for concession of bail. Learned State counsel has not controverted the fact that challan has been presented, charges have been framed and out of 10 witnesses cited by the prosecution none has been examined till date.

4. Considering the rival contentions and perusing the record, it is admitted that the petitioner is in custody since 11.03.2023. The challan in the case has already been presented in the Court, charges have been framed, the petitioner is having clean antecedents and the conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no useful purpose would be served by detaining the petitioner any longer.

5. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, 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, if not required in any other case; 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.

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

(SANJIV BERRY)
JUDGE

14.12.2023

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