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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 21.08.2023**

+ **BAIL APPLN. 2358/2023**

MUFAZZUL SHEIKH Petitioner

Through: Mr. Hirein Sharma and Mr.
Aamir Choudhary, Advocates

versus

STATE OF NCT OF DELHI Respondent

Through: Mr. Manoj Pant, APP for the
State with Inspector Satvinder,
Special Cell/SR

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

JUDGMENT

SWARANA KANTA SHARMA, J. (ORAL)

1. The instant application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of applicant seeking regular bail in case bearing FIR no. 292/2021, registered at Police Station Special Cell, Delhi for offences punishable under Section 489B/489C of Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Manoj Pant, learned APP accepts notice on behalf of the State.
3. Briefly stated, it is the case of the prosecution that on 22.12.2021, an information was received that a person named Firoz Sheikh, who is involved in circulation of fake currency will arrive at



Govindpuri Metro Station, Delhi to deliver a big consignment of fake currency to one of his associates near Kalkaji Park. Thereafter, a raiding team was constituted and was deployed at the spot where the alleged transaction had to take place, after which accused Firoz Sheikh and present applicant Muffazul Sheikh were apprehended and a total of Rs. 8,00,000/- i.e. 400 fake Indian currency notes of denomination amounting to Rs 2000/-were recovered from them. During the course of investigation, it was revealed that the accused persons had planned to supply these fake currency notes further. On account of the same, the present FIR was registered and both the accused persons were arrested.

4. Learned counsel for applicant argues that the present applicant has been in judicial custody since 21.12.2021 and has been falsely implicated in the present case. It is stated that no printing machine has been recovered from the possession of the present applicant. It is submitted that no recovery has been affected at the instance of the present applicant.

5. *Per contra*, learned APP for the State argues that the allegations against the accused are serious in nature. It is argued that an expert report which was received on 20.01.2022 from the Indian currency note press, Nashik, Maharashtra has verified that the currency notes recovered from the possession of the accused persons are stated to be as counterfeit Indian currency note.

6. This Court has heard arguments addressed by the learned counsel for the applicant and learned APP for the State, and have perused material on record.



7. In the present case, a perusal of record reveals that the counterfeit currency notes were recovered from the possession of the accused persons during a raid conducted by a team which was constituted on the basis of a prior information. This Court makes note of report dated 20.01.2022 of Indian currency note press, Nashik, Maharashtra containing an expert opinion on the recovered currency notes which verifies them to be counterfeit Indian currency notes. The recovery of such huge quantity indicates that a large number of such notes are being circulated in the Indian economy with the sole intention to de-stabilise it. Learned counsel for the petitioner though argued that the offence is not serious nor *prima facie* proved against the applicant, it does not find favour with this Court since circulating and using counterfeit currency is not only an offence *qua* the innocent victims are concerned but it majorly affects the economy of the country and should thus be seen as an offence against the country to de-stabilise its economy. Counterfeit currency is undeniably a crime against society and country causing far reaching and detrimental effects on both individuals and the broader community.

8. Counterfeit currency erodes trust, de-stabilises the economy, and the enormity of the offence can be adjudged from the fact that allegedly a machine was used by the applicant/accused for printing the counterfeit currency. It shows that the currency notes were printed in a manner that it was difficult for an average citizen to distinguish between the real currency and the fake currency. It is also revealed during the course of investigation that the accused persons were part of group of conspirators who were involved in the crime in question.



9. Considering the overall facts and circumstances of the case and the seriousness of the offence, this Court taking note of the seriousness of the offence is not inclined to grant bail.

10. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

AUGUST 21, 2023/ns