

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15878-2024
Date of decision:-23.07.2024

NARESH KUMAR ALIAS RAJ

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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

Present:- Mr. Ravi Rana, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, 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 in the following case:-

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

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 Indian currency notes amounting to ₹1,19,500/- was effected from the dash board of car in which petitioner alongwith other three co-accused was sitting. He submits that the petitioner is



neither the owner nor driver of the said car and has no concern whatsoever with the alleged recovery. He submits that other co-accused have been granted concession of bail, petitioner is in custody since 11.03.2023, after completion of investigation, challan has been presented in Court and prosecution has cited 10 witnesses and out of them only one witness has been examined so far. He submits that trial will take sufficient long time to conclude, as such he prays for grant of concession of regular bail to the petitioner.

4. Learned State counsel, on the other hand, has opposed the bail petition by arguing that considering the nature and gravity of offence petitioner does not deserve concession of bail. However, he has admitted that after completion of investigation, challan has been presented in Court and prosecution has cited 10 witnesses and out of them only one witness has been examined so far. He also admitted that co-accused have already been granted concession of bail.

5. After considering the submissions made by both the sides and perusing the record, it transpires that as per the case of the prosecution, recovery of counterfeit Indian currency notes amounting to ₹1,19,500/- was effected from the dash board of the car in which petitioner alongwith his three co-accused were sitting. Admittedly, the petitioner is neither driver nor owner of the said car and no recovery has been effected from the petitioner. The other co-accused have been already granted concession of bail. The petitioner is in custody since 11.03.2023, after completion of investigation, challan has been presented in Court and prosecution has cited 10 witnesses and out of them only one witness has been examined so far. The conclusion

of trial, to ascertain criminal liability, if any of the petitioner will take sufficient long time and no purpose would be served by detaining the petitioner any longer in custody.

6. Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular 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.

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

(SANJIV BERRY)
JUDGE

23.07.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |