



\$~43

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 1908/2024

MEHRAJ ALIAS MOHD MEHRAJ

.....Petitioner

Through: Mr. Abdus Samad, Advocate.

versus

THE STATE GOVT OF NCT, DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State
with SI Sandeep Kumar, P.S. PIA,
Delhi.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

06.09.2024

%

By way of the present petition filed under section 439 of the Code of Criminal Procedure 1973, the petitioner seeks regular bail in case FIR No. 0103/2024 dated 19.03.2024 registered under sections 489-B/489-C/120-B of the Indian Penal Code, 1860 at P.S.: Patparganj Industrial Area, New Delhi.

2. Notice on this petition was issued on 28.05.2024; pursuant to which Status Report dated 22.07.2024 has been filed on behalf of the State.
3. Nominal Roll dated 18.07.2024 has also been received from the Jail Superintendent.
4. Briefly, the allegations against the petitioner are, that based on information received from a secret informer, a personal search of the petitioner was conducted, whereupon he was found in possession of some counterfeit currency notes. It is the prosecution case that the



petitioner's personal search revealed that he had 08 notes of Rs. 500 denomination each; and subsequently 80 more counterfeit currency notes of Rs. 500 denomination each were also recovered from the petitioner's vehicle (a Scooty). The prosecution alleges that the petitioner is part of a syndicate of counterfeiters, in which the main accused is his uncle, one Mohd. Ali, who is already in custody in Dum Dum Central Jail, North 24 Parganas, West Bengal in another case.

5. Mr. Abdus Samad, learned counsel appearing for the petitioner submits, that though the petitioner does not deny that the vehicle in question was owned by him, he however denies that any fake currency notes were recovered either from the petitioner's personal search or from his vehicle.
6. Mr. Samad also refutes that the said Mohd. Ali is related to the petitioner.
7. Learned counsel for the petitioner further points-out, that investigation in the matter is complete and chargesheet dated 08.05.2024 has already been filed.
8. Mr. Samad also points-out, that a perusal of the petitioner's nominal roll would show that the petitioner has been in custody for about 03-½ months; that his jail conduct has been 'satisfactory'; and that he is not involved in any other criminal case.
9. On the other hand, Ms. Shubhi Gupta, learned APP appearing for the State opposes the grant of bail to the petitioner, principally on the ground that the Investigating Officer ('I.O.') in the present is yet to



get the custody of Mohd. Ali, though the said person is in judicial custody in West Bengal, as narrated above.

10. Upon an overall conspectus of the facts and circumstances of the case, and especially considering the role ascribed to the present petitioner and the fact that chargesheet has already been filed in the case, the petitioner – **Mehraj @ Mohd. Mehraj s/o Baba Firozuddin @ Firoz Khan** – is admitted to *regular bail* pending trial, subject to the following conditions :

- 10.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the learned trial court;
- 10.2. The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 10.3. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 10.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial;



- 10.5. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing.
11. Since the petitioner is facing trial and is therefore appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of bail.
12. Nothing in this order shall be construed as an expression of opinion on the merits of the pending matter.
13. A copy of this order be sent to the concerned Jail Superintendent *forthwith*, for information and compliance.
14. The bail petition stands disposed-of in the above terms.
15. Pending applications, if any, are also disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 6, 2024

V.Rawat