

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44051-2025 (O&M)
Date of decision: 20.08.2025

Shani Singh @ Shani

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amarpreet S. Bathindewala, Advocate
for the petitioner.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
141	23.06.2024	City Jagraon, District Ludhiana Rural, Ludhiana	489A, 489B, 489C, 489D IPC

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In paragraph no.6 of the bail petition, the petitioner-accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the order dated 11.7.2025 passed by the Sessions court, while rejecting the bail petition of the petitioner, which reads as follows:

“As per prosecution version, instant FIR was registered on the basis of secret information to the effect that the applicant alongwith co- accused Manpreet Singh and Deepu were indulging in counterfeiting of currency and could be apprehended. Disclosed place was barricaded. All the three accused came there in Honda City Car bearing registration No. DL-04C- KH-6559. Co-accused Manpreet Singh was apprehended by the police at the spot, while applicant and co-accused Deepu managed to flee away from the spot due to darkness. 109 fake currency notes of the denomination of Rs.100/-, 02 fake currency notes of the denomination of Rs.200/-, 10 fake currency notes of the denomination of Rs.500/-, in total fake currency notes of Rs. 16,300/- and one Epson Printer were recovered from their car. All the contentions of learned counsel for the applicant are matters of trial, which will be considered after taking evidence from both the sides. The

allegations against the applicant are grave and serious in nature. No doubt, accused/applicant is in custody since 23.04.2025, but mere long custody in such serious offences would not be the sole factor to be considered while deciding bail application. Consequently, the present bail application stands dismissed.....”

4. The petitioner's counsel prays for bail on parity with co-accused Manpreet Singh who has been granted bail by this Court vide order dated 7.3.2025 passed in CRM-M-54875-2024 (Annexure P-3). He submits that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family and he has no objection to imposing any stringent conditions.

5. The State’s counsel opposes bail.

REASONING:

6. Allegation against the petitioner is only of possessing counterfeit currency of Rs.16,300/-.

7. There is sufficient *prima facie* evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per the custody certificate dated 19.8.2025, the petitioner’s total custody in this FIR is 3 months and 25 days. Co-accused has already been enlarged on bail. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the *prima facie* analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

12. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

13. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

14. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

15. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

20.08.2025
AK

(ANOOP CHITKARA)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO