

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54875-2024 (O&M)
Reserved on: 04.03.2025
Date of Pronouncement: 07.03.2025

Manpreet Singh
.....Petitioner(s)

Versus

State of Punjab
.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Raman Kumar, Advocate
for the petitioner.

Mr. Gurpratap S. Bhullar, AAG, 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.13 of the bail petition, the petitioner-accused declares that he has no criminal antecedents. However, as per the custody certificate dated 19.2.2025, the petitioner is involved in another case/FIR No.137/2019 under Sections 21/61/85 NDPS Act, PS Gidder Baha.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

2. That the brief facts of the case are that on 23-06-2024, police party headed by HC Balwinder Singh of PS City, Jagraon was present at Rani Jhansi Chowk, Jagraon in connection with patrolling and in search of suspected persons and vehicles. HC Balwinder Singh received secret information that Manpreet Singh son of Dulla Singh resident of Village Kot Bhai, Kothe Mana Wala Dhanian, Tehsil Giderbaha along with Sunny son of Kartar Singh resident of village Sahib Chand and Deepu s/o unknown r/o village Sahib Chand used to prepare counterfeit currency notes and sell the same. Today they are coming in Car No. DL-04-CKH- 6559 make Honda City from the side of Mullanpur towards

Raikot via Aligarh Road with counterfeit currency notes and selling the same. If nakabandi is conducted on Aligarh road near Kothe Khanjuran, Jagraon, then they can be apprehended with counterfeit currency notes and material used for preparing counterfeit currency notes. The information was found reliable. So HC Balwinder Singh sent ruqa to the police station and got registered FIR No. 141 dated 23-06-2024 u/s 489-A/489-B/489-C/489-D in PS City, Jagraon against petitioner Manpreet Singh and co-accused Sunny and Deepu.

3. That then the police party conducted nakabandi on Aligarh road in the area of village Kothe Khanjuran. After some time one car No. DL-04-CKH-6559 was seen coming from the side of Aligarh road. One person was driving the car and two more persons were sitting in the car. On seeing the naka of the police party, the driver of the car stopped the car at some distance from the nakabandi. The two persons who were sitting in the car managed to escape from the car due to darkness. But the police party apprehended the driver of the car. On enquiry the driver of the car told his name as Manpreet Singh son of Dulla Singh. He told the names of those persons who managed to escape as Sunny and Deepu.

4. That on search of the car, one envelope was recovered from gear box near driver seat. On search of the envelope counterfeit currency notes were recovered from that envelope. On counting 109 notes of the denomination of Rs. 100/- each i.e. total amount of Rs. 10,900/-, 2 notes of Rs. 200 each i.e. Rs. 400/-, 10 notes of Rs. 500/- each i.e. total Rs. 5,000/-. So total counterfeit currency notes of Rs. 16,300/- were recovered. One printer make EPSON was also recovered from the car. One parcel of currency notes was prepared and it was sealed by the I.O. with his seal BS. The parcel, printer and vehicle were taken into possession by the I.O. The petitioner was arrested in this case by the I.O.

5. That the parcel of counterfeit currency notes has been deposited in the Currency Notes Press, Nasik Road Maharashtra vide letter no. 31428-29/AC-3 dated 14-08-2024 through Senior Constable Harpreet No. 303. Report of the Currency Notes Press is still awaited.

6. That co-accused Sunny and Deepu could not be arrested so far. So this case is still under investigation.

7. That after the completion of investigation, challan against the petitioner has been presented in the Court on 22-08-2024.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“A. ROLE OF THE PETITIONER:-

That the role of the petitioner in this case is that counterfeit 109 currency notes of the denomination of Rs. 100/- each i.e. total amount of Rs. 10,900/-, 2 notes of Rs. 200 each i.e. Rs. 400/-, 10 notes of Rs. 500/- each i.e. total Rs. 5,000/- i.e. currency notes of total amount of Rs. 16,300/- and one printer were recovered from the petitioner in the above mentioned car.

B. EVIDENCE AGAINST THE PETITIONER

There is evidence against the petitioner of the following witnesses:-

- i) Constable Chander Mohan
- ii) Constable Kulwinder Chand
- iii) HC Balwinder Singh Investigating Officer.”

REASONING:

7. Allegation against the petitioner is only of possessing counterfeit currency of Rs.16,300/-.
8. 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 paragraph 5 of the bail petition, the petitioner has been in custody since 23.6.2024. Per the custody certificate dated 19.2.2025, the petitioner’s total custody in this FIR is 7 months and 24 days. 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.
9. 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.
10. 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.
11. 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) | |
12. 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.
13. 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.

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

15. 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.

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

07.03.2025
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(ANOOP CHITKARA)
JUDGE

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