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

+ **BAIL APPLN. 4728/2024 & CRL.M.A. 38639/2024**

AKASH

.....Petitioner

Through: Mr. Jitin Sahni and Mr. Anurag Jain,
Advocates.

versus

THE STATE GOVT OF NCT DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP with SI Sunil
Antil, Special Cell.
Mr. Mukesh Kumar, APP.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

15.01.2025

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1. The present application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023, seeking grant of regular bail in FIR No. 0094/2024 dated 23rd March, 2024, registered at P.S. Special Cell, for the offence under Sections 232/243/120B of the IPC.

2. The case of the Prosecution, as per the status report, filed before the Court, is as follows:

2.1 The Applicant is engaged in the manufacturing and supply of counterfeit Indian currency coins, operating a syndicate with the assistance of the co-accused, Sarvesh Yadav. Together, they have circulated significant quantities of counterfeit currency across various parts of the country.

2.2 On 23rd March, 2024, the SI received secret information regarding certain individuals suspected of being involved in the manufacturing and



distribution of counterfeit Indian currency coins within the Delhi/NCR region. Acting on this information, a raiding team was formed, and a raid was conducted in Burari, Delhi. The raid led to the apprehension of the Applicant and the co-accused, Sarvesh Yadav. The Applicant was found in possession of a bag containing 4,000 counterfeit coins of INR 20 denomination, with a total value of INR 80,000/-. This recovery led to the registration of the aforementioned FIR.

2.3 During the investigation, the Applicant revealed that he had been manufacturing counterfeit coins at a rented property in Mándoli, Shahdara, Delhi. He further disclosed that over the past year, he had supplied counterfeit coins totalling INR 20 lakhs in value. Additionally, he informed that he had taken the said property on rental basis from the landlord, Mrs. Laxmi.

2.4 A subsequent raid on the factory premises led to the recovery of an additional 500 counterfeit coins of INR 20 denomination. The authorities also seized a Fiber Laser Machine, a Hydraulic Press Machine, and approximately 433 kilograms of raw materials, all of which were being used in the production of the counterfeit currency coins. Moreover, five metallic dyes, along with laser cutting and pressing machines, were found in the premises.

3. Counsel for the Applicant submits that the Applicant has been in custody since 23rd March, 2024. Although the chargesheet has been filed, the matter is still at the stage of cognizance before the Metropolitan Magistrate, and the trial is likely to take considerable amount of time.

4. Mr. Amit Ahlawat, APP for the State, on the instructions of the Investigating Officer, submits that the investigation has been concluded. The



Forensic Science Laboratory report is awaited. He highlights that the co-accused Sarvesh has been denied bail by this Court in BAIL APPLN. 1515/2024 *vide* order dated 03rd July, 2024. Moreover, he emphasizes that the recoveries made from the Applicant as well as the rented property strongly indicate the Applicant's involvement in the offences. Therefore, he asserts that bail should not be granted.

5. The Court has considered the aforementioned circumstances. The Applicant is a young individual aged 27 years, and has been in custody since 23rd March, 2024. He does not have any prior criminal antecedents. The chargesheet, in the instant case, has been filed and the investigation stands concluded. The trial is presently at the stage of cognizance before the Metropolitan Magistrate. It is further noted that there is no document on record to establish that the Applicant was in possession of the premises from which the alleged counterfeiting activities were being conducted. The allegation of such possession is solely based on the statement made by Mrs. Laxmi, the owner of the premises.

6. Taking into account the Applicant's clean criminal record, the fact that he has been in custody for a substantial period, and that the investigation has been concluded with the filing of the charge sheet, the Court is of the opinion that no useful purpose would be served by continuing to keep the Applicant in judicial custody. Furthermore, the Applicant undertakes to cooperate in investigation and appear before the Trial Court as and when the matter is listed.

7. In light of the foregoing facts and circumstances, and keeping in view the principles laid down by the Supreme Court in *Sanjay Chandra v.*



Central Bureau of Investigation¹, the application is allowed. It is accordingly directed that the Applicant shall be released on regular bail on furnishing a personal bond in the sum of INR 1,00,000/- along with two sureties of the like amount to the satisfaction of the concerned Trial Court, subject to the following conditions:

7.1 The Applicant will not leave the country without prior permission of the Court.

7.2 The Applicant shall provide permanent address to the Trial Court. The Applicant shall intimate the Court by way of an affidavit and to the IO regarding any change in her residential address.

7.3 The Applicant shall appear before the Trial Court as and when the matter is taken up for hearing.

7.4 The Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, or tamper with the evidence of the case.

8. Needless to state, any observations concerning the merits of the case are solely for the purpose of deciding the question of grant of bail and shall not be construed as an expression of opinion on the merits of the case.

9. A copy of the order be sent to the Jail Superintendent for information and necessary compliance.

10. With the foregoing directions, the present application is disposed of. Pending application(s), if any, are disposed of as infructuous.

SANJEEV NARULA, J

JANUARY 15, 2025

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¹ (2012) 1 SCC 40.