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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-6408-2026 (O&M)

Date of decision: 27.05.2026

Jarnail Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

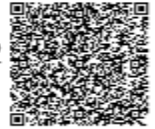
Present: Mr. A.P.S. Sandhu, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of present petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') read with Section 528 of the BNSS, the petitioner is seeking regular bail in the case bearing FIR No.187 dated 27.11.2025 under Sections 178, 179, 180 and 318 of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS'), registered at Police Station Sultanwind, Police Commissionerate Amritsar.

2. In the present case, the allegations qua the petitioner are that on the basis of secret information, the petitioner was allegedly found in possession of counterfeit Indian currency notes. It is further alleged that recovery of fake Indian currency notes of Rs.99,000/- in denomination of Rs.500/- each was



effected from him.

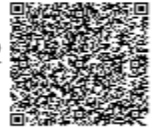
3. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds: -

- (i) Petitioner has been falsely implicated in this case;
- (ii) He is in custody for the last 05 months and 24 days;
- (iii) There is no independent material to show the complicity of the petitioner;
- (iv) Even the alleged recovery of Rs.99,000/- is a planted one, which is supported by the fact that no recovery of any machinery, printing equipments or any other incriminating material has been made from the possession of the petitioner;
- (v) Even if it is presumed that the petitioner was found in possession of counterfeit Indian currency notes, however, there is no scientific evidence to support the said allegation that the recovered currency notes were counterfeit;
- (vi) Investigation is complete and challan stands presented; and
- (vii) Trial will take sufficient time to conclude.

To support the case of the petitioner, learned counsel relied upon the judgment rendered by a Coordinate Bench of this Court in ***Lovepreet Singh Vs. State of Punjab, Law Finder Doc Id # 2384571***.

4. Custody certificate of the petitioner dated 26.05.2026 has been filed in the Court today and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. On the other hand, learned State counsel has opposed the prayer of



the petitioner on the following grounds: -

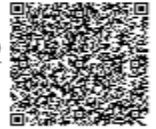
- (i) Present petitioner was apprehended on the basis of secret information and counterfeit Indian currency notes of Rs.99,000/- were recovered from his possession.
- (ii) He is having criminal antecedents and is involved in two other cases.

6. Heard.

7. Keeping in view the facts and circumstances of the present case, this Court finds merit in the present petition for grant of concession of regular bail to the petitioner on the following grounds: -

- (a) Petitioner is in custody since 02.12.2025 i.e. for the last 05 months and 24 days;
- (b) Investigation has already been completed and final report under Section 193 of the BNSS stands presented; and
- (c) Trial will take sufficient time to conclude. No fruitful purpose would be served by keeping the petitioner in custody for any further period.

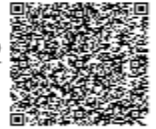
8. It is a settled principle of criminal jurisprudence that punishment begins only after conviction and every accused is presumed to be innocent unless proven guilty in accordance with law. Deprivation of personal liberty cannot be permitted to assume the character of punishment before conclusion of trial, except where such custody becomes necessary to secure the presence of the accused during proceedings or for other compelling reasons. Unnecessary incarceration of an undertrial strikes at the very root of Article 21 of the



Constitution of India. Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

9. The Hon'ble Supreme Court in ***Sanjay Chandra Vs. Central Bureau of Investigation, 2011(4) RCR (Criminal) 898***, observed as under: -

“Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some un-convicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, 'necessity' is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. Apart from the question of prevention being the object of a refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any Court to refuse bail as a mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an un-convicted person for the purpose of giving him a taste of imprisonment as a lesson.”



10. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11. The pending miscellaneous application(s), if any, also stand(s) disposed of.

27.05.2026

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[SUBHAS MEHLA]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No