



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

104

CRM-M-14409-2025

DATE OF DECISION: 18.03.2025

GAGANDEEP SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. B.S. Kundra, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

This petition has been filed under Section 482 of B.N.S.S (438 Cr.P.C) praying for grant of Anticipatory Bail to the petitioner in FIR No.106 dated 21.07.2022 U/s 489-B, 489-C, 420, 379 of IPC, P.S.City Khanna (Secton 489-A, 411 and 201 of IPC were added lateron), District Ludhiana.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘SHO P.S.City Jai Hind. Today Inspector/INSP along with ASI Mukhtiar Singh 101/Khanna, ASI Lakhwinder Singh 739/Khanna, Constable Simranjeet Singh 905/Khanna travelling in Government vehicle bearing registration No.PB10-GK-6172 which was driven by Head constable Paramjit Singh 932/Khanna for the purpose of patrolling and looking for the



suspicious person were present at Bus Stand near Samadhi Road Khanna. Then at around 9:40 P.M. secrete informer informed me that Parvesh @ Bachi son of Sham Singh resident of Uttam Nagar Khanna, Nitesh Kumar @ Golu @ Raghav son of Amarjit Singh resident of Vikas Nagar Street No.1, House No.930 near/backside Electricity Board Office, Mandi Gobindgarh, District Fatehgarh Sahib, Gagandeep Singh son of Kuldeep Singh resident of Nabi Abadi Khanna, Sandeep Singh and Baldev Singh both sons of Paramjit Singh resident of rented house ofBunty Painter, Cremation ground road, Khanna are indulged into the business of using counterfeit currency and are also habitual of stealing motorcycles and today they are using the counterfeit currency by fooling innocent people and are using the counterfeit currency at smaller shops by duping them and are present near court complex Ratten Heri Pathak Chowk Khanna and they are also in possession of stolen motorcycles bearing registration No.PB23-V-2918 and motorcycle Splendour bearing registration No.PB48-E-6705. If raid is conducted immediately, then the above mentioned persons can be apprehended along with counterfeit currency and stolen motorcycle. That the information received from secrete informer is correct and believable. That Parvesh @ Bachi, Nitesh Kumar @ Golu @ Raghav, Gagandeep Singh, Sandeep Singh and Baldev Singh above mention are found to be violating the law and an FIR against them be registered under Section 489-B, 489-C, 420, 370 of IPC. Because of this a Ruqa in writing including the above mentioned sanctions against the above mentioned person is sent to police station via constable Simranjeet Singh 905/Khanna. FIR be registered and number may kindly be made known. Special reports be prepared and sent to Higher officials and Illaqa Magistrate. Control Room Khanna be informed. I Inspector/SHO along with fellow officials in order to conduct raid have left for the spot of occurrence. Sd/Kuljinder Singh.'



3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He would submit that on relying upon the secret information, alleged fake currency notes have been recovered from Nitesh Kumar @ Golu @ Raghav along with one motorcycle. He further submits that the petitioner was neither present on the alleged spot of occurrence nor any recovery has been effected from him and the petitioner was nominated in the present FIR on the basis of the disclosure statement of the accused, more so, there is no cogent material or evidence which could require petitioner's custodial interrogation.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the allegations levelled against the petitioner are of serious nature, therefore, prays for dismissal of the present petition.

4. Analysis

Be that as it may, after given a thoughtful consideration to



the submissions as made, by the counsel for both the parties to the extent that no recovery has been effected from the petitioner and he was not present at the alleged spot of occurrence and was nominated on the basis of the disclosure statement, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

18.03.2025

anuradha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No