

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

**Criminal Misc. No.M-34173 of 2011  
Date of decision: 30.11.2011**

**Nitin Kumar**

**.....Petitioner**

**versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

Present: Mr. K.S. Ahluwalia, Senior Advocate with  
Ms. Sukhwinder Kaur, Advocate  
for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

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**M.M.S. BEDI, J. (Oral)**

Petitioner has been in custody w.e.f. 26.07.2011 for having been found in possession of counterfeited currency notes worth Rs.1,50,000/-. The case was registered on the basis of secret information. Though, the secret information disclosed that the petitioner alongwith others was indulging in preparation of Indian currency notes and using the same to be genuine. It appears that the petitioner having been found in possession of alleged fake currency notes, no evidence has been produced that any attempt has been made by the petitioner either of using a fake currency notes or that he has manufactured the same. It will be debatable during trial that it is a case of Section 489-C IPC only or the petitioner could be said to have committed an offence under Section 489-A and Section 489-B IPC also. It will also be debatable whether offence under Section 420 IPC can be said to

have made on the basis of the allegations in the FIR and material facts collected during the investigation. Without any expression of opinion, the petitioner is ordered to be released on bail on his furnishing bail bond/surety bond to the satisfaction of the trial Court.

**30.11.2011**  
harjeet

**(M.M.S. BEDI)**  
**JUDGE**