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

% **Date of Decision: 03.04.2024**

+ **BAIL APPLN. 1147/2024**

IRSHAD @ BHURU

..... Petitioner

Through: Mr. A.K. Suri, Advocate

versus

THE STATE N.C.T OF DELHI

..... Respondent

Through: Mr. Manoj Pant, APP for State
with SI Vikas Kumar, Special
Cell.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

JUDGMENT

SWARANA KANTA SHARMA, J (ORAL)

CRL.M.A. 9976/2024 & 10105/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. The present bail application under Section 439, read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the applicant, seeking grant of regular bail in case arising out of FIR bearing No. 165/2023, registered at Police Station Special Cell, Delhi for offences punishable under Sections 489B/489C/34 of the Indian Penal Code, 1860 ('IPC').



4. Issue notice. Mr. Manoj Pant, learned APP appearing on behalf of the State accepts notice.

5. Briefly stated, facts of the present case are that on 21.06.2013, secret information was received at PS Special Cell, Delhi that one Tajeem who had been dealing in fake Indian currency notes, would be supplying fake currency notes near Splash Water Park, GT Karnal Road, Delhi at around 05:30 PM. On the basis of this information, a raiding team was formed to apprehend the accused persons at the spot. Thereafter, a raid was conducted, and co-accused Tajeem was apprehended near Splash Water Park, GT Road, Alipur, Delhi, and during search, fake Indian currency notes worth Rs. 2,50,000/-, all in the denomination of Rs. 2000 notes were recovered from his possession. During the course of investigation, co-accused Tajeem had disclosed that he, along with the present applicant/accused Irshad had been dealing in fake Indian currency notes for the last 3-4 months. It was also revealed during the course of the investigation that fake Indian currency notes are being supplied by accused persons throughout Delhi, U.P., Punjab and Haryana. The present applicant/accused Irshad was apprehended from his residence in Kairana, Uttar Pradesh at the instance of co-accused Tajeem, on 22.06.2023. It is further the case of prosecution that 150 fake currency notes of 2000 denomination, valued at Rs. 3,00,000/-, were recovered at the instance of present applicant/accused from a room situated at the first floor of his house.

6. Learned counsel for the applicant argues that the applicant has been falsely implicated in the present case by the police officials, and was arrested on 22.06.2023. It is argued that the applicant has been



arrested on mere disclosure statement of the main accused Tajeem, and the investigating agency had planted the recovery of alleged fake Indian currency notes, which has been witnessed only by the police officials despite the fact that there were a number of public persons present at the spot. It is further argued that on 23.06.2023, the police officials had again visited the home of the applicant in order to fill the loop holes and lacuna left by the police officials, and had again shown alleged recovery of equipment/tools allegedly used in printing/manufacturing fake currency notes i.e. Paper Sheets, Green Papers and a wooden frame, from the shop of the applicant who is/was working as Goldsmith. Thus, it is prayed that the present applicant/accused be released on bail.

7. *Per contra*, learned APP appearing on behalf of the State argues that that present applicant/accused, along with co-accused Tajeem, is involved in the supply and circulation of fake Indian currency notes and both reside in the same locality. It is further argued that co-accused Tajeem had obtained these fake Indian currency notes from the present applicant and on the basis of Tajeem's disclosure, the applicant was arrested from his residence in Uttar Pradesh, where fake Indian currency notes valued at Rs. 3 lakhs were seized. It is further argued that equipment/tools used in the printing or manufacturing of fake Indian currency notes were also found at the shop of the applicant. Therefore, it is prayed that the bail application of the present applicant be dismissed as he is the main conspirator in this case.

8. This Court has heard arguments addressed by learned counsel for the applicant and learned APP for the State and has perused the material placed on record.



9. The allegations against the present applicant/accused, in a nutshell, are that he was engaged in supply and circulation of fake Indian currency notes in various parts of Delhi, U.P., Punjab, and Haryana, in conspiracy with co-accused Tajeem.

10. A perusal of chargesheet reveals that during the course of investigation, a raid was conducted at the house of the applicant on 22.06.2023, wherein 150 counterfeit currency notes, each with a denomination of Rs. 2,000, totalling Rs. 3,00,000 in value, were found from a room located on the first floor of his house. The present applicant/accused had revealed that he used to buy fake Indian currency notes from Saharanpur, Uttar Pradesh, and then used to supply/sell them in Delhi, Haryana and other States. It was further revealed that the present applicant had allegedly roped in his neighbour co-accused Tajeem into his business few months back, and he used to send Tajeem to his buyers. The applicant had also disclosed that he had learnt the process of manufacturing fake currency notes from YouTube and he himself used to print fake currency notes at his house, and had all the equipment/tools at his house required for the same. The investigating agency had again conducted a raid at the residence of the present applicant where equipment and tools used in printing and manufacturing of fake Indian currency notes, including paper sheets, Green paper used for making wire/security thread, and a wooden frame used for cutting notes were recovered from his shop which was situated at the ground floor of his house.

11. This Court has also perused a report from of Bank Note Press, Dewas Madhya Pradesh, which has been placed on record, which



opines that all the referred notes are counterfeit notes.

12. The present case raises grave concerns regarding the involvement of accused persons in the distribution and circulation of counterfeit currency notes. The illicit activities surrounding the supply and circulation of counterfeit currency notes pose multifaceted risks to both the economy and individuals within society. There is no gainsaying that proliferation of counterfeit currency facilitates various forms of illicit activities, including money laundering, terrorism financing, and organized crime. Criminal syndicates often use counterfeit money to fund their operations, launder illicit proceeds, and finance illegal activities such as drug trafficking, human trafficking, and arms smuggling.

13. It is further observed that individuals who unknowingly come into possession of counterfeit currency also face significant risks and repercussions. Innocent consumers and businesses may unknowingly accept counterfeit money in transactions, only to later discover that they have been defrauded or cheated. This can lead to financial losses, legal liabilities, and damage to reputations, particularly for businesses that unwittingly accept counterfeit currency as payment for goods or services.

14. Resultantly, the supply and circulation of fake currency notes represent a serious threat to the economy, national security, and individual well-being. Therefore, it is crucial for the Courts to deal with such cases with stern hand.

15. Thus, in view of the above discussion, and considering the overall facts and circumstance of the case, seriousness of the offence,



and the recoveries from the house and shop of the applicant/accused, this Court is not inclined to grant bail to the applicant at this stage.

16. Accordingly, the present bail application is dismissed.

17. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

18. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 3, 2024/hs