

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

**Crl. Misc. No.M-28087 of 2017 (O&M)
Date of Decision: September 21, 2017**

Manjit Singh

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prateek Gupta, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

This is second petition filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.78 dated 14.06.2017 registered for the offences punishable under Sections 420, 465, 468 and 471 of Indian Penal Code (for short-IPC), at Police Station Bullowal, District Hoshiarpur. Earlier bail application was dismissed as withdrawn vide order dated 07.07.2017.

Heard.

Passport file No.JA1060785246017 dated 03.03.2017, 15498-SBP UID No.2435061 pertaining to Manjit Singh Brar son of Malkit Singh, resident of Bhathe, Post Office Sham Churasi was received in Police Station Bullowal for verification. In that file, date of birth of the applicant was mentioned as 11.08.1973 and name of mother as Surjit Kaur. He has given

his marital status as unmarried. The file was marked to Constable Maninder Singh for verification, who went to the given address and found that no person with the name of Manjit Singh Brar was residing at village Bhathe. This fact was also verified by Shakuntala Devi Sarpanch and Harwinder Singh, Member Panchayat of the village. The passport file was returned to the Passport Office, Hoshiarpur with the report. Thereafter it came to notice that the petitioner, whose name is Manjit Sindh Badyal son of Makit Singh, resident of village Lehri Khurd, Police Station Chabbewal, District Hoshiarpur had applied for this passport. He had murdered his wife Kuldeep Kaur daughter of Piyara Singh and in this regard FIR No.65 dated 05.03.2009 for the offences punishable under Sections 302 read with Section 34 and 120-B IPC and 25, 27 of Arms Act was registered against him at Police Station Sadar Hoshiarpur in which he had been convicted and sentenced for life imprisonment. He was released on bail and wanted to go to Canada by preparing a passport on wrong name and address as he had been residing in Canada since 1998 and was in possession of Canadian Passport No.JK320177 and he has also got Driving Licence and Care Card of British Columbia, Canada. He had visited India in the year 2009 with his wife Kuldeep Kaur and sons Jaspreet Singh and Gurpreet Singh and murdered his wife with gun shot injury on 05.03.2009. He while applying a new passport, used fake documents like Aadhaar Card, School Certificates relating to his date of birth, residential address, name etc. On inquiry, the police found that the passport pertaining to Manjit Singh Brar in fact was applied by the petitioner and he has misled the passport office and police department on the basis of fake documents.

Learned counsel for the petitioner has argued that his father and brother, who were inimical towards him, have falsely involved him in this case. Petitioner is a Canadian passport holder and he has applied for release of the same to go abroad and there was no occasion for him to get new passport. The classified advertisement given in the newspaper regarding change of his name from Manjit Singh to Manjit Singh Brar was also not given by him. Petitioner is ready to surrender before the police and join investigation.

It is a case where as per the allegations in the FIR, petitioner had tried to cheat the passport authority and also the police. He has not only given his wrong identity while applying fresh passport but also prepared fake documents in support of his name and identity proof.

Keeping in view the above facts and circumstance and conduct of the petitioner, I do not find any reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to the petitioner.

This petition has no merits. Dismissed.

September 21, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***