

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

(1)

**Crl. Misc. No.M-6508 of 2018 (O&M)
Date of Decision: May 21, 2018**

Bishan Dass

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(2)

Crl. Misc. No.M-7213 of 2018 (O&M)

Kuldeep Singh @ Kuldip Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

**Present: Mr. Gulzar Mohammad, Advocate
for the petitioner (s).**

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

**Ms. Monika Payal, Advocate for
Mr. Manmeet Singh Rana, Advocate
for the complainant.**

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.16 dated 18.01.2018 registered for the offences punishable under Sections 420 read with Section 120-B of Indian Penal Code, at Police Station Division No.8, Jalandhar.

Heard.

As per the allegations in the FIR, complainant on the asking of Kuldeep Singh (petitioner in CRM-M-7213-2018), who was posted as MHC at Police Station Division No.8, Jalandhar, had signed passport verification form of one Shiv Kumar. This verification was done in the Police Station, where B.D. Sharma (petitioner in CRM-M-6508-2018) had come with Shiv Kumar. Said Shiv Kumar was arrested by the police at Indira Gandhi International Airport for having false visa and FIR No.214 dated 01.01.2016 under Section 420, 468, 471 IPC and 12 Passport Act, was registered against him at Police Station I.G. Airport.

Learned counsel for the petitioners submits that the allegations have been levelled by the complainant after five years of the incident. If there is any lapse in carrying out the verification, it was on the part of complainant as he had to go to the concerned locality for verification of Shiv Kumar.

Learned State counsel submits that petitioners have joined the investigation and are co-operating with the police. The investigation is still in progress but custodial interrogation of the petitioners is no more required.

Keeping in view the above facts and submission of learned State counsel but without expressing any opinion on the merits of the case, both these petitions are allowed. Order dated 22.02.2018 passed in both the petitions are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make

any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;

- (iii) that the petitioners shall not leave India without the prior permission of the Court;
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

May 21, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

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

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