

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

**CRM-M-45627-2019
Date of decision: 01.11.2019**

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 60 dated 27.09.2019, registered under Section 420 IPC at Police Station Airport, District Amritsar.

Learned counsel for the petitioner relies upon order dated 30.10.2019 by this Court in **CRM-M-45194-2019**, vide which accused Mandeep Singh, against whom the similar allegations have been levelled in a similar FIR bearing No. 59 dated 27.09.2019, registered under Section 420 IPC at the same police station i.e. Police Station Airport, District Amritsar, has been granted concession of regular bail. The operative party of the order reads as under:

“Counsel for the petitioner submits that, in fact, as per the allegations in the FIR registered at the instance of Immigration Officer, petitioner-Mandeep Singh was found holding a valid passport with a fake visa for

travelling to Canada. Counsel for the petitioner further submits that, in fact, the petitioner had contacted a travel agent, namely, Surinder Kaur Sodhi and her son Jagpreet Singh Sodhi for processing the application for Canada and has paid a huge amount for this purpose. Counsel for the petitioner further submits that the aforesaid two persons provided the visa to the petitioner and the petitioner was unaware that he has been given fake visa. He further submits that during the investigation, the police has also arrested Surinder Kaur Sodhi, who has procured the fake visa. Learned State counsel, on instructions from SI Panna Lal has not disputed the factual position and has filed the custody certificate and according to which, the petitioner is not involved in any other case.

Without commenting anything on the merits of the case, considering the arguments raised by counsel for the petitioner and considering the fact that the petitioner is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.”

Learned State counsel, on instructions from ASI Harjinder Singh and on the basis of the custody certificate filed today in Court, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering

the submissions of learned counsel for the petitioner and also in view of the above order dated 30.10.2019; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

01.11.2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No