

SATNAM SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

Briefly, FIR No. 150 dated 31.7.2020 under Sections 468, 470, 471, 420 IPC and Section 3 of Passport Act, 1967, Police Station Kalanaur, District Gurdaspur, Punjab has been registered on the basis of the statement of Rajwant Singh alleging that his brother Satnam Singh-petitioner had got prepared fictitious passport in the name of the complainant by affixing photograph of the petitioner. The complainant came to know about the fictitious passport issued in his name bearing photograph of the petitioner when he applied for issuance of passport in his name in 2019 and passport Authorities informed him on 18.12.2019 that a passport in his name has already been issued.

It has been pointed out by learned counsel for the petitioner that as per the enquiry report, the passport was got prepared by Mansa Singh, father of the petitioner and the complainant, who are brothers. The passport was got issued in the name of Rajwant Singh-complainant, as the petitioner was aged about 19 years and the visa could not be procured for him, being underage.

It has been further stated that the present FIR has been lodged as a counter-blast to the criminal case which was lodged by the petitioner against the complainant wherein the complainant was convicted. Furthermore, the petitioner has also instituted a suit for recovery against the complainant and his mother.

Notice of motion.

Mr. H.S.Multani, AAG Punjab accepts notice on behalf of the State.

Learned State counsel, on instructions from ASI Balwinder Singh, states that petitioner had in fact travelled abroad and worked there during the year 2005 on the basis of the fictitious passport.

In such circumstances, it cannot be concluded at this stage that petitioner had innocently travelled on the basis of the fictitious passport and had no role in the preparation thereof. The procuring of fictitious passport and taking advantage thereupon by travelling and working abroad aggravates the gravity of allegations against the petitioner. As such, no exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Dismissed.

19.08.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No