

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

CRM-M-41875-2019

Date of decision: February 12, 2020

Jaswinder Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Mohd. Yousaf , Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. Oral)

Prayer in this petition is for issuance of directions to respondents No.2 and 3 to complete the investigation and file the challan/final report in case FIR No.79 dated 14.7.2017 under Sections 420 and 465 IPC, registered at Police Station Tapa Mandi, District Barnala.

Reply by way of affidavit of Deputy Superintendent of Police, Tapa, District Barnala is filed today in the Court and as per the reply, respondent No.5-Lakhwinder Singh is residing in England since 1998 and he has gone to England in the year 2012 after visiting India.

In Para 2 of the reply, it is stated as under:-

"That Ministry of External Affairs Regional Passport Officer, SCO 28-32, Sector 34-A vide ref. No.17 (10) Part-PRO/CDG/POL.GR-II(P.E.)30/17 dated January 23, 2017 reported that

Lakhwinder Singh s/o Sh. Jagjit Singh r/o village Vairoke, Tehsil Bagha Purana, District Moga has obtained Passport No.B-3721304 dated 17.9.2001 from this office. Thereafter, he went to London and came back to India on Emergency Certificate No.870655 dated 12.1.2006 issued from HCI London obtained by furnishing wrong particulars and passport No. thereon of one Sh. Jaswinder Singh holder of Passport No.E-3635960 dated 19.12.2002 issued by this office and affixing his photograph. In 2012, Sh. Jaswinder Singh holder of passport No.E-363590 dated 19.12.2002 whose particular was used by Lakhwinder Singh while obtaining EC No.870655 dated 12.1.2006 issued HV/London, had applied for reissue of his passport vide file No. CH4070737022612. His file was put on hold due to issuance of Emergency Certificate against his passport and particular and later on closed on 11.6.2014. He again applied for reissue of passport vide file No.CHD079120363215 which have also been closed on 28.9.2016 as he was advised to furnish copy of FIR against the person who have misused his passport details, which he had not furnished. Lakhwinder Singh had obtained passport No.B-3721304 dated 17.9.2001 from this office but this do not have details on which passport he went to England as he came back to India on Emergency Certificate No.870655 dated 12.1.2006 issued from HCL, London obtained by furnishing wrong particulars @ passport No. Thereon on Sh. Jaswinder Singh holder of Passport No. E-3635960 dated 19.12.2002 issued by this office and affixed his photograph. Lakhwinder Singh applied for reissue passport in lieu of his old passport No.B-3721304 dated 17.9.2001 by reporting the same as lost and got issue passport No.F-6859204 dated 9.3.2006. This office do not have record of Visa details affixed on passport No.E-3635960, which is presently in custody of Sh. Jaswinder Singh."

It is further stated that the present FIR No.79 dated 14.7.2017 has been registered against Lakhwinder Singh. Despite all endeavours made to arrest him, no clue was found and he was declared a proclaimed offender on 20.1.2020 and in this regard, a report under Section 173 Cr.P.C. has already been presented before the Illaqua Magistrate on 30.1.2020 and the case is now fixed for 27.3.2020, issuing notice to the petitioner and the complainant.

In view of the same, no further action is called for and the present petition stands disposed of.

However, liberty is granted to the petitioner to avail his remedy before the Illaqua Magistrate, if so advised.

**(ARVIND SINGH SANGWAN)
JUDGE**

**February 12, 2020
satish**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No