

JASPAL SINGH @ PALI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. L.S.Sidhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

VIVEK PURI,J. (ORAL)

Petitioner is seeking regular bail with regard to the case registered vide FIR bearing No. 113 dated 22.05.2019 at Police Station City Moga, District Moga under Sections 420,465,467,468,471 IPC 1860 and under Section 12 of Passport Act, 1967 on the allegations that Jagsir Singh, co-accused had returned back to Punjab after he was deported from America, who was having his passport and Adhar Card in the fictitious name of Sandeep Singh son of Jagtar Singh, caste Jat, resident of Lande Ke Police Station Smalsar. Jagsir Singh had gone abroad on the basis of fake passport and if a raid is conducted, his arrest could be effected.

It has been stated that in the consequence of the raid, Jagsir Singh was arrested and the allegations against the petitioner were to the effect that when the Police party had gone to verify the antecedents of passport of Jagsir Singh, the present petitioner had identified Jagsir Singh as Sandeep Singh.

It has also been stated by the learned counsel for the petitioner that his arrest was effected on 05.08.2019, the challan has already been presented in the Court and furthermore, Jagsir Singh, co-accused is on bail.

Learned State counsel on instructions from ASI Barjeender Singh

states that she does not dispute the factual position but also asserts that Jagsir Singh was granted bail as per the proviso of Section 167(2) Cr.P.C. as the challan was not presented within the stipulated time period.

Be that so, it remains the fact that Jagsir Singh, co-accused in whose name fictitious passport was issued has been granted bail and furthermore, the arrest of the petitioner was effected on 05.08.2019, he is in judicial custody, the conclusion of trial is likely to take sometime and the offences triable by Judicial Magistrate 1st Class, sufficient grounds are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

06.03.2020
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(VIVEK PURI)
JUDGE

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