

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

Sr.No.204

**CRM-M No.18102 of 2021
Date of Decision: 05.08.2021**

Lakhwinder

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab
for the respondent.

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MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.17 dated 24.01.2021 registered at Police Station City Gurdaspur, District Gurdaspur, under Sections 420, 465, 468, 471 and 120-B IPC and Section 12 of the Passport Act, 1967, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the birth-certificate, as submitted by the petitioner to the competent authority for the purpose of the issuance of the passport in his name, was found to be fake/forged.

Learned State counsel has forwarded the short reply filed on behalf of the respondent-State, by way of the affidavit of the Deputy

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Superintendent of Police, City Gurdaspur, to this Court through email and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner has studied upto 5th standard only and he sought the help of some Agent for the issuance of his birth-certificate and the said person duped him by forging the same and the petitioner neither had any knowledge nor had any intention to commit the alleged crime and in these circumstances, he deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the petitioner had sufficient knowledge regarding the procedure required to be adopted for the issuance of the passport and therefore, he submitted his birth-certificate for this purpose which, during the process of inquiry and verification qua the genuineness of the same, was found to be a forged one and it being so, this petition deserves dismissal.

Even if, the petitioner is presumed to be not well/highly educated, even then, this fact does not mitigate the gravity of the allegations levelled against him in this case. Though, he has tried to explain that some Agent had got the said birth-certificate prepared but again, the fact remains that he has not even divulged the identity of the said Agent. Rather, this fact requires to be elicited from him and hence, the possibility of the requirement of his custodial interrogation for the

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said purpose, cannot be ruled out.

Keeping in view the afore-discussed facts and circumstances and also the gravity of the allegations, as levelled against the petitioner in the present case, this Court is of the considered opinion that the petitioner does not deserve the relief of anticipatory bail. Resultantly, the petition in hand stands dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

05.08.2021
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>