

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

CRM-M-23304-2021

Date of Decision: 25th October, 2021

Ishwar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. G.B.S Dhillon, Advocate
for the petitioner.

Ms. Monika Jalota, DAG,
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No.140, dated 22.05.2021, under Sections 420, 465, 467, 468 and 471 IPC, registered at Police Station Phillaur, District Jalandhar.

3. The following order was passed on 17th June, 2021:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No. 140 dated 22.05.2021 under Section 420, 465, 467, 468, 471 registered at Police Station Phillaur, District Jalandhar, Punjab.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question for allegedly being in possession of two passports. Learned counsel submits that in fact the first Passport which was issued in the name of the petitioner was way back in the year 1997 and was valid till 2007. In support thereof, he has referred to Annexure P-1. It has been further submitted that

the aforementioned Passport was renewed in the year 2007 and subsequently again renewed in the year 2016 and stands valid upto 2026.

*Learned counsel for the petitioner submits that as far as the second Passport which he has allegedly obtained is concerned, the petitioner was not even aware of the same as he had not applied for the same. He submits that the name mentioned in the second passport is of one “**Isher Singh**” whereas his name is “**Ishwar Singh**”. It has been further submitted that while issuing the second passport no verification was carried out by the authorities concerned, which lends credence to the fact that in fact some person had misused his documents and managed to procure the second Passport for himself. He has also submitted that none of the passport were ever used by the petitioner as he never visited abroad.*

Notice of motion.

On the asking of Court, Mr. Luvinder Sofat, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Meanwhile, petitioner(s) is directed to join the investigation as and when required by the investigating officer. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner(s) shall abide by the terms and conditions as envisaged under Section 438(2) Code of Criminal Procedure, 1973.

Adjourned to 04.10.2021.”

4. On 4th October, 2021, counsel for the State submitted that petitioner joined the investigation but was not handing over the passports. Petitioner was directed to rejoin the investigation within seven days.
5. Today counsel for the State on instructions from ASI Surinder Pal submits that petitioner rejoined the investigation and handed over two passports. However, the original passport of 1997 has not been handed

6. Learned counsel for the petitioner on instructions submits that details of original passport was given to the Investigating Officer and the said passport was misplaced by the petitioner.

7. In view of the fact that petitioner has given details of the earlier passport, handed over two passports and custodial interrogation is not required, interim order dated 17th June, 2021 is made absolute.

(AVNEESH JHINGAN)
JUDGE

25th October, 2021
Parveen Sharma

Whether reasoned/speaking	Yes/No
<i>Whether reportable</i>	<i>Yes/No</i>