IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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Date of decision: 12.01.2022

(1) CRM-M-4254 of 2021

Gurpreet Singh @ Prince

Petitioner

Versus

State of Haryana

Respondent

(1) CRM-M-4262 of 2021

Palwinder Singh @ Neetu

Petitioner

Versus

State of Haryana

Respondent

(3) CRM-M-16801 of 2021

Deepak Puri

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.S. Gill, Mr. Naveen Jaglan and Ms. Sarika Gupta, Advocates for the petitioners.
Ms. Geeta Sharma, DAG, Haryana.

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AVNEESH JHINGAN, J (Oral):

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

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High Court, Sector 1, Chandigarh

These three petitions under Section 439 Cr.P.C. are filed seeking regular bail in FIR No. 360 dated 20.8.2020, under Sections 420, 467, 468, 471 and 120-B IPC, Section 12(1)B of Passport Act, 1967 (Sections 474, 198, 201 IPC and Sections 7, 8 and 12 of Prevention of Corruption Act, 1988 and Sections 66-C and 66-D of Information Technology Act, 2000 added later on), registered at Police Station City Tohana.

Inspector of Police Station, Fatehabad made a complaint that in three passport applications received for verification, same mobile number was mentioned. The applicants were not residing at the given addresses. During investigation, verification of 29 fake passports were revealed. The allegations were that the accused provided fake addresses to the applicants and got the applications verified from the local police by bribing ASI-Baljit Singh and Constable Naresh Kumar. Passports were received from Postman-Rajwinder Singh. The role attributed to petitioner-Gurpreet Singh is that he was named in the disclosure statement of Palwinder Singh that he acted as an agent for bringing customers to Monu Sachdeva for procuring passports on the basis of fake documents. The role of petitioner-Palwinder Singh is that he introduced Resham Singh to Monu Sachdeva who got prepared passport of Resham Singh in the name of Ragav Dangal. Petitioner-Deepak Puri also emerged as a mediator.

Learned counsel for the petitioners submit that the petitioners were not named in the FIR, they were nominated on the basis of disclosure statements. Petitioners-Gurpreet Singh and Palwinder Singh are in custody since October, 2020 and petitioner-Deepak Puri is in custody since

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February, 2021. The contention is that co-accused have been granted bail by this court, investigation is complete and challan stands presented.

Learned counsel for the State on instructions opposes the prayer for grant of bail, however is not in a position to dispute that the petitioners were working as facilitators to the other co-accused. They were nominated on the basis of the disclosure statements.

Considering the facts and circumstances in totality, especially the fact that the petitioners are in custody since October, 2020 and February, 2021, investigation is complete, no recovery is to be made, co-accused have been granted bail and conclusion of the trial is likely to take time, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Photocopy of the order be placed on the file of each connected case.

[AVNEESH JHINGAN]
JUDGE

12th January, 2022
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1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No

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