

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6665-2022 (O&M)

Date of Decision:- 06.8.2022

Mandeep Singh

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhupinder Ghai, Advocate, for the petitioner.

Mr. Krishan K. Chahal, Addl. A.G. Haryana,
assisted by SI Krishan Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 50, dated 30.1.2022, Police Station Sadar Fatehabad, District Fatehabad, under Sections 120-B, 198, 420, 467, 468, 471, 474 of IPC and Section 12(1)(b) of Passport Act, 1967.
2. The case of the prosecution is that one Ravi Kumar @ Nonu @ Nona had been arrested by the police of Jammu and Kashmir and during his interrogation he disclosed to Jammu and Kashmir Police that he had prepared the Passport by assigning himself a fictitious name Karan

Kumar s/o Surinder Kumar and by showing himself to be a resident of village Aherwan, Tehsil Ratia, District Fatehabad and that the said Passport had been got issued from the Passport Office at Chandigarh. Upon receiving the said information, the FIR in question was lodged and upon making inquiries, it transpired that at the time of issuance of Passport in the name of Karan Kumar, a detailed verification had been sent to Security Branch and that said Karan Kumar had been identified by Satnam Singh and Harmanpreet. Pursuant to collecting the said information Satnam Singh was arrested by the police. It is the case of prosecution that Harmanpreet could not be arrested and was ultimately declared a 'Proclaimed Offender'. It was found that the addresses furnished by the said Karan Kumar and also by the person who had verified were found to be incorrect. During the course of interrogation of Satnam Singh, he disclosed that he was helped by Manish and Mandeep for procuring bogus documents. It is further the case of prosecution that the aforesaid persons had furnished documents like PAN Card, detailed mark-sheet card etc., some of which were also found to be forged. It is further the case of prosecution that upon interrogation of Munish he disclosed the name of Tilak Raj who was found to be Data Operator in the Passport Office and whose help accused had sought. Tilak Raj in his disclosure statement named Balwinder as an accused stating that said Balwinder had prepared fake detailed mark-sheet in respect of Karan in whose favour the Passport in question had been issued. Balwinder further stated that he had procured the said certificate from Balbir and

upon arrest of Balbir, he further nominated Rajinder Thakur from whom the bogus detailed mark-sheet had been procured. The aforesaid accused were arrested between 30.1.2022 and 7.2.2022 and have been in custody ever since the said date.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been involved in the present case on the basis of a disclosure statement which cannot have any evidentiary value particularly in the absence of any connecting evidence. Learned counsel has further submitted that in fact the petitioner alongwith six other accused have been falsely implicated in the present case as well as in another case i.e. FIR No.54 dated 2.2.2022 Police Station Fatehabad, Distict Fatehabad, under Sections 198, 420, 467, 468, 471, 474 and 120-B IPC and Section 12(1)B of Passport Act, 1967 wherein verbatim allegations have been levelled. It has been submitted that in the said case, this Court vide order dated 4.5.2022 passed in CRM-M-9196-2022 has granted anticipatory bail to the petitioner. It has been submitted that since even in the present case verbatim allegations have been levelled, the petitioner deserves the same concession, particularly when the petitioner has already joined investigation and challan already stands presented.
4. Learned State counsel while opposing the petition has submitted that since serious allegations have been levelled against the petitioner who happens to be involved in one more identical case it is apparent that petitioner is a seasoned criminal and as such does not deserve the concession of bail. Learned State counsel has however, informed

that pursuant to interim directions the petitioner has since joined investigation and that investigation already stands concluded and challan stands presented. Learned State counsel has not disputed the fact that another verbatim same FIR has been lodged against the petitioner wherein the petitioner already stands released on anticipatory bail.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the aforesaid facts and circumstances of the case particularly the fact that petitioner has been granted bail in an absolutely identical case and also the fact that he has already joined investigation and in fact challan already stands presented, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 17.2.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

06.8.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No