

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

CRM-M-37994-2020 (O&M)

Date of Decision:-27.9.2022

Vickram Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kumar Bokolia, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab.

Mr. J.S. Moudgill, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.180 dated 21.10.2020 at Police Station Urban Estate, District Patiala, under Sections 420, 120-B of Indian Penal Code and Section 13 of Human Smuggling Act, 2012.
2. The FIR in question was lodged at the instance of Jaswinder Singh and Bhupinder Singh, wherein it is alleged that the complainant Bhupinder Singh was unemployed and wanted to go abroad i.e. to Australia. He met Mukhtiar Singh, who represented that he could be sent to Australia through Vickram Singh, Travel Agent. It is alleged that an amount of Rs.10,10,400/- had been given to aforesaid Vickram Singh between the period 20.9.2019 to 3.10.2019. It is alleged that although a Visa was given to him by the said travel agent but when he reached the airport and was going through the

immigration process, he was informed that his Visa is a bogus Visa and that his Nationality has been shown as 'Japanese'.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the Visa (Annexure P-3), which had been handed over to the complainant, was a genuine Visa.
4. Vide order dated 18.11.2020, this Court had directed the State to get the Visa provided to the complainant verified.
5. Learned State counsel has today passed on a photocopy of letter dated 21.03.2022 of Ministry of External Affairs, CPV Division PV-II Section accompanied by a verification report dated 11.3.2022 from Australian High Commission, New Delhi, wherein it has categorically been stated in unambiguous terms that the Visa in question i.e. Visa no.2009589536230 stated to be issued on Passport No.P9809413 in the name of Bhupinder Singh had been issued by fraudulent means and was not valid for travel to Australia.
6. Though during the course of hearing, learned counsel for the petitioner has submitted that in fact it was a valid Visa but had expired, but this Court is unable to accept aforesaid contention in view of the report of Australian High Commission, which has been produced by learned State counsel today in Court, which is taken on record.
7. In view of the aforesaid position, this Court does not find any special case for grant of anticipatory bail. The petition, as such, is sans merit and is hereby dismissed.

27.9.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No