

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

I) CRM-M-169-2022 (O&M)

Hardyal Singh @ Paramjeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-161-2022 (O&M)

Daljeet Singh @ Inderjeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-5768-2022 (O&M)

Bhagat Singh @ Baljeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

IV) CRM-M-6104-2022 (O&M)

Warjeet Kaur @ Simranjeet Kaur ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-8.2.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Kanika Ahuja, Advocate with
Mr. Lalit Aggarwal, Advocate for the petitioner(s).

Mr. Luvinder Sofat, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned four petitions filed on behalf of petitioners Hardy Singh @ Paramjeet Singh, Daljeet Singh @ Inderjeet Singh, Bhagat Singh @ Baljeet Singh and Warjeet Kaur @ Simranjeet Kaur seeking grant of regular bail in respect of a case registered vide FIR No.27, dated 13.1.2021 at Police Station Zirakpur, SAS Nagar, Mohali, under Sections 420, 421, 466, 467, 471, 167, 120-B of Indian Penal Code, Sections 7, 8, 13(2) of Prevention of Corruption Act, 1988 and Section 12 of Passport Act.
2. The allegations, in nutshell, are that the petitioners were apprehended by the police at Airport, New Delhi while they were trying to leave the country on the basis of passports which had been issued by furnishing false addresses and also on the basis of fake U.K. residency permits.
3. Learned counsel for the petitioners submits that the petitioners are innocent and had not committed any offence so as to flee from country and that the present case is infact a case where the petitioners themselves have been cheated by the agents and have been furnished with fake residency permits. Learned counsel for the petitioners further submits that in the present case

investigation already stands completed and that since identically situated co-accused have already been granted bail by this Court vide common order dated 12.10.2022 passed in CRM-M-45361-2022, the petitioners also deserve the same concession on grounds of parity.

4. Learned counsel for the petitioners has next submitted that the petitioners have no objection in case stringent conditions as were imposed in the aforesaid order dated 12.10.2022 passed in CRM-M-45361-2022 are imposed upon the petitioners as well.
5. Opposing the petitions, learned State counsel has submitted that the present case is a case where passports were got issued by furnishing incorrect information particularly as regards the residence of the petitioners and also their Nationality and date of birth and since they were also carrying fake residency permits, they do not deserve the concession of bail. Learned State counsel has further not disputed the fact that the petitioners otherwise are not involved in commission of any other offence in India apart from another FIR arising out of the same occurrence, which was lodged in New Delhi. It has also been informed that the petitioners as on date have been behind bars since the last about 1 year and 2 months and that no PW out of the cited 19 PWs has been examined till date.
6. This Court has considered the rival submissions.
7. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioners and also the fact that identically situated co-accused have already been granted bail by this Court vide common order dated 12.10.2022 passed in CRM-M-45361-2022 and that

conclusion of trial is likely to take some time inasmuch as not even a single PW out of the cited 19 PWs has been examined so far, further detention of the petitioners will not serve any useful purpose. All the four petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned subject to the following conditions:

- (i) The petitioners shall surrender their passports (if they possess one) with the trial Court;
- (ii) The petitioners would be required to mark their attendance once in a month in the concerned police station;
- (iii) The petitioners will provide their mobile number and a mobile number of their family member, which will remain active during the pendency of the trial;
- (iv) In case there would be any change in residential address of any of the petitioners, advance intimation would be given to the concerned police station; and
- (v) The petitioners would appear before the trial Court as and when required or called for.

8. A copy of this order be placed on the file of each connected case.

8.2.2023

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No