

266 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:164304
CRM-M-50839-2023

Date of Decision: December 20, 2023

Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Satya Veer Singh, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 13.10.2023, following order was passed by this Court:-

“By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in FIR No.50 dated 17.08.2023 registered under Sections 420 IPC (later on Sections 465, 467, 468 and 471 IPC added) at Police Station Airport, District Amritsar.

As per prosecution allegations, co-accused Sukhpal Singh was found with a fake VISA of Serbia on his passport and in his disclosure statement, he nominated the petitioner to be involved in providing the fake VISA.

Learned counsel contends that petitioner has no involvement in the crime and that he has been falsely implicated in the case. He further contends that brother of the petitioner is running an immigration agency.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 03.11.2023 for filing status report.”

2. After receiving the status report, this Court passed the order on 16.11.2023, which is as under:-

“Status report by way of affidavit of Shri Kamaljit Singh, Asstt. Commissioner of Police (Airport), Amritsar City has been filed on behalf of respondent-State.

Custody certificate is taken on record.

Contention of learned counsel for the petitioner is that he is simply working with his brother Karanbir Singh. Still further, it is contended that the petitioner or his brother never provided any VISA for Sarbia to co-accused Sukhpal Singh. Rather, they had booked ticket for co-accused Sukhpal Singh for Dubai. Copy of the ticket from Amritsar to Dubai and return ticket from Dubai to Lucknow and Lucknow to Delhi Delhi are Annexure P-4. Learned counsel further contends that VISA for co-accused Sukhpal Singh was got issued for Dubai valid from 10.08.2023 to 08.10.2023, copy of which is Annexure P-3.

Although the status report has been filed, but it is silent about the documents Annexures P-3 and P-4 forming the part of the petition.

Let status report/reply on behalf of the respondent-State in the light of Annexures P-3 and P-4, forming part of the petition be filed.

Adjourned to 18.12.2023.”

3. Today, it is informed by learned State counsel, on instructions from ASI Hardeep Singh, Investigating Officer of the case that VISA from Amritsar to Dubai and then Dubai to Lucknow and then to Delhi has been found to be genuine. However, request has been made to the Embassy of the United Arab Emirates, so as to verify the genuineness of VISA to Serbia.

4. Learned counsel for the petitioner submits that the petitioner is not concerned with the VISA to Serbia as he had only provided VISA for Dubai, which has been found to be genuine.

5. Apart from above, the case is dependent upon the documentary evidence. Petitioner is in custody for the last 03 months and 10 days, as per the custody certificate. Petitioner is not involved in any other case. Further investigation/trial may take time to conclude.

6. Having regard to the aforesaid facts and circumstances, but without commenting anything further on merits of the case, petition is allowed. Petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

December 20, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No