



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

CRM-M-40085-2024 (O&M)
Date of Decision:- 23.08.2024

Puriya Sirazafar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohan Singh Rana, Advocate, for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
61	23.02.2024	Sector 50, District Gurugram	420, 467, 468, 471 IPC and Sections 7 and 14-A of Foreigners Act

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged pursuant to receipt of secret information by the police to the effect that certain persons of Iranian origin were residing in Block Q-1, South City-II, Gurugram without having any valid Visa. Pursuant to receipt of said information the police conducted raid at the nominated premises where they met Puriya Sirazafar (petitioner).



Upon being asked he produced his Passport bearing No.L47990649 but the said Passport was valid only till 14.2.2024. In other words as on the date when it was checked it was already expired. Another person stated to be brother of aforesaid Puriya Sirazafar was also present there and who also produced his Passport bearing No.P52089737 which was valid till 27.12.2024. However, the Visa which had been issued to him had already expired on 23.8.2022. It is further the case of prosecution that the aforesaid persons disclosed that they had received amount from foreign country through 'Hawala' and had transferred the same in the provided bank accounts and for which they had received commission.

3. It is further the case of prosecution that several forged documents of identity including Aadhar Card, Driving Licence and Voter Card etc. were recovered from the accused.
4. Learned counsel for the petitioner submitted that he has falsely been implicated in the present case and that it was only on account of oversight that the petitioner could not get his Passport renewed in time. Learned counsel submits that the petitioner in any case has been behind bars since the last about 6 months and since conclusion of trial is likely to consume time as only 1 out of cited 13 Pws has been examined the petitioner deserves concession of bail.
5. Opposing the petition, learned State counsel has submitted that since the petitioner was found to be residing in India without a valid



Passport and Visa and had admitted himself to be indulging in ‘Hawala’ payment, his complicity is clearly evident. Learned State counsel has not disputed the fact that as on date only one out of cited 13 PWs has been examined.

6. This Court has considered the rival submissions addressed before this Court.
7. Having regard to the nature of allegations and the facts and circumstances of the case and the fact that the petitioner has been behind bars for a substantial period of 6 months and only one out of cited 13 PWs has been examined till date, further detention of petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/heavy surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.08.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No