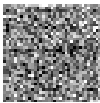


CRM-M-63182-2023 (O&M), CRM-M-8209-2024,
CRM-M-9370-2024, CRM-M-58401-2023 and
CRM-M-11079-2024 (O&M)

-1-

2024:PHHC:092386



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 23.07.2024

(I) CRM-M-63182-2023 (O&M)

JASWINDER GILL

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

(II) CRM-M-8209-2024

AMIT RAGHAV

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

(III) CRM-M-9370-2024

DALIP KUMAR PASWAN ALIAS DILIP KUMAR PASWAN

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

(IV) CRM-M-58401-2023

NAVEEN KUMAR @ BABBU

...Petitioner

VERSUS

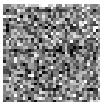
STATE OF PUNJAB

...Respondent

CRM-M-63182-2023 (O&M), CRM-M-8209-2024,
CRM-M-9370-2024, CRM-M-58401-2023 and
CRM-M-11079-2024 (O&M)

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2024.PHHC.092386



(V) CRM-M-11079-2024 (O&M)

SARVAR

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. J. S. Thind, Advocate and
Mr. Manjit Singh Gahlawat, Advocate
for the petitioner in CRM-M-63182-2023.

Mr. Mudit Johar, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner in CRM-M-8209-2024.

Mr. Umesh Aggarwal, Advocate
for the petitioner in CRM-M-9370-2024.

Mr. Kushagra Mahajan, Advocate
for the petitioner in CRM-M-58401-2023.

Mr. Sidhant Vermani, Advocate
for the petitioner in CRM-M-11079-2024.

Mr. Adeshwar Singh Pannu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

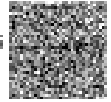
1. All the five petitions are taken up together for final disposal with the consent of learned counsels for the parties since all the petitions arise out of the same FIR and the prayer in all the cases is for the grant of regular bail.

2. All the five petitions have been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioners in FIR No.106 dated 04.05.2023, under Sections 420, 467, 468, 471, 489, 120-B of the

**CRM-M-63182-2023 (O&M), CRM-M-8209-2024,
CRM-M-9370-2024, CRM-M-58401-2023 and
CRM-M-11079-2024 (O&M)**

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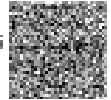
2024:PHHC:092386



IPC, Sections 12 and 13 of the Passport Act, Sections 21-B, 27-A, 29, 61, 85 of the NDPS Act and Section 25/54/59 of the Arms Act, registered at Police Station Maqboolpura, District Amritsar, Punjab.

3. CRM-M-63182-2023, CRM-M-8209-2024 and CRM-M-11079-2024 are second regular bail petitions, whereas CRM-M-9370-2024 and CRM-M-58401-2023 are first regular bail petitions.

4. Learned counsels for the petitioners have submitted that all the petitioners are in custody for about 1 year and 2 months and it is a case where the allegations were that the police got a secret information with regard to three persons that they have formed a gang for fabricating the passports and supplying it to criminals. They further submitted that all the petitioners have not been named in the FIR nor any role was assigned to them and it was only thereafter that one of the co-accused, namely, Sohan Lal, who was named in the FIR was apprehended by the police and on his disclosure statement, the names of all the petitioners have been nominated. They further submitted that it is a settled law that disclosure statement of a co-accused is not admissible in evidence. They also submitted that even otherwise also the police has already completed the investigation and the case is now fixed before the learned trial Court for consideration of framing of charges. They further submitted that even reply has been filed by the State, wherein no such link could have been established because as per the reply, the petitioners were also the beneficiaries of some money but nothing has come on the record by giving details as to how they received the money in their bank accounts and therefore, considering the



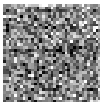
aforesaid facts and circumstances, the petitioners may be considered for the grant of regular bail.

5. Learned counsels for the petitioners have further submitted that one of the co-accused, namely, Mandeep Singh alias Marinda has already been granted the benefit of regular bail by a Coordinate Bench of this Court in CRM-M-65374-2023 on 29.01.2024 and the petitioners are also similarly situated with the aforesaid co-accused, namely, Mandeep Singh alias Marinda because they have also been nominated on the basis of disclosure statement of co-accused.

6. On the other hand, Mr. Adeshwar Singh Pannu, AAG, Punjab on instructions from ASI Kashmir Singh submitted that it is correct that all the petitioners are in custody for about 1 year and 2 months and the police has already completed the investigation and all the petitioners have been nominated on the basis of disclosure statement of co-accused especially one of the main co-accused, namely, Sohan Lal. He further submitted that as per the reply filed by the State, no details have been mentioned as to on which account the petitioners were added as beneficiaries but it has been mentioned in the reply that their names have been nominated on the basis of disclosure statement of a co-accused.

7. I have heard the learned counsels for the parties.

8. It is a case where the petitioners have faced incarceration for about 1 year and 2 months and as per the learned counsels for the parties, the names of the petitioners were nominated on the basis of disclosure statement of co-accused. As per the reply filed by the State, the petitioners were nominated



only on the basis of disclosure statement of co-accused and now the investigation of the case has already been completed by the police and the matter is fixed before the learned trial Court for consideration of framing of charges. Apart from the above, even one of the other co-accused, namely, Mandeep Singh alias Marinda has already been granted the benefit of regular bail by a Coordinate Bench of this Court as aforesaid and the petitioners are also similarly situated with the aforesaid co-accused.

9. Consequently, all the five petitions are allowed. The petitioners shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.
10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petitions only.

23.07.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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