

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:160095



241
CRM-M-63869-2025

RAKESH KUMAR

....PETITIONER

versus

STATE OF PUNJAB

....RESPONDENT

Date of decision: 18.11.2025
Date of Uploading: 18.11.2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. GBS Dhillon, Sr. Advocate with
Mr. Gurkirat Singh, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.19 dated 30.08.2018 registered for the offences punishable under Sections 420, 120-B of IPC and Sections 12(i) (b) of Passport Act, 1967 and subsequently added Sections 465, 466, 467, 468, 471 of IPC, at Police Station NRI, Ludhiana, District Police Commissionerate Ludhiana.

2. The gravamen of the FIR is that a criminal conspiracy was allegedly hatched by a large group of persons, namely Gurdev Singh, Mahinder Pal, Jeet Ram, Joginder Ram, Satnam Singh @ Rinku, Happy @ Happy Singh, Bir Singh @ Bobby, Baru Ram @ Jaji, Vijay Kumar @ Sonu, Mangal Singh @ Mangi, Surinder Singh @ Salinder Singh @ Kala, Sandeep Kumar @ Bhindi, Charan Kaur @ Charno, Gian Kaur, Pinky, Parwinder



Kaur, Paramjit Kaur, Menka, Baljinder Kumar, Harman Kumar, Kulvir Singh, Nirmala Devi, Harpreet Kaur, Rakesh Kumar (the present petitioner), Surinder Singh, Balwinder Singh and Charan Singh, for the preparation and use of forged public documents including Birth Certificates, Marriage Certificates, Passports and other documents with the object of cheating government authorities, obtaining immigration benefits, securing Police Clearance Certificates and extorting money. A complaint dated 11.06.2018 submitted by Lal Chand Virhe, alleging that the aforesaid accused persons, acting in concert, had prepared fake documents and used the same for obtaining Police Clearance Certificates and for blackmailing him to extort ₹5 Crores. The inquiry conducted by the Assistant Inspector General, NRI & Women Wing, Punjab (report dated 13.08.2018) found that accused Happy Singh, who had gone to France in 2009 and reported his Indian Passport as lost, had procured a fresh Passport in France by deliberately misrepresenting his date of birth as 23.03.1995 and place of birth as Apra, Jalandhar, though his actual date and place of birth were 23.03.1998 and Village Garhi Sheru, District Ludhiana. To regularize the false particulars for purposes of French citizenship, he communicated with accused Satnam Singh, who allegedly procured a forged Birth Certificate showing the false particulars and used it to obtain a Police Clearance Certificate from Police Commissionerate, Ludhiana, which was then sent to Happy Singh in France. On these findings, FIR No.19 dated 30.08.2018 was initially registered under Sections 420/120-B IPC and Section 12(1)(b) of the Passports Act, 1967 at Police Station NRI, Ludhiana Urban. During further investigation, a Special Investigation Team (SIT) comprising AIG (NRI & Women Wing)



Ludhiana, AIG (NRI & Women Wing) Jalandhar and AIG (NRI & Women Wing) Amritsar, submitted a detailed report dated 31.03.2024. The SIT found that the present petitioner Rakesh Kumar had also obtained Passport No. J7775586 (valid 10.10.2011 to 09.10.2021) by using forged documents, including a forged Birth Certificate issued from Local Registrar, Births & Deaths, Nagar Council, Gurdaspur, two forged Voter ID Cards (IF00153624 and IF00265187) showing fictitious parentage of Rai Kumar s/o Daulat Ram and Sharda Devi w/o Raj Kumar, with a false address of House No. 25, Ward No. 09, Improvement Trust Colony, Gurdaspur, and a manipulated 10th Class Certificate of March 2010 (Roll No. 344159), purportedly from Punjab School Education Board. The verification from the issuing departments confirmed all the above documents to be fabricated. The SIT further reported that Rakesh Kumar had executed a Power of Attorney in favour of complainant Lal Chand Virhe for obtaining a Police Clearance Certificate on the basis of the forged documents. Notwithstanding knowledge of the forged nature of these documents (as reflected in telephonic conversations between accused Satnam Singh and the complainant), Lal Chand Virhe applied for a Police Clearance Certificate before SSP Gurdaspur on the basis of the false credentials and fictitious address of Rakesh Kumar. On physical verification, the petitioner was not found residing at the said address. Based on these disclosures, the SIT recommended the nomination of Rakesh Kumar as well as complainant Lal Chand Virhe as accused and the addition of offences under Sections 465, 466, 467, 468 and 471 IPC.



3. Learned Senior counsel for the petitioner has argued that the petitioner is in custody since 08.10.2025. Learned Senior counsel for the petitioner has further argued that the petitioner has been falsely implicated into the FIR in question. Learned Senior counsel has further argued that the petitioner is a young man aged about 30 years with no criminal antecedents. Learned Senior counsel for the petitioner has further argued that the FIR in question is primarily based on documentary evidence and investigation is still going on for which the petitioner is not required. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 17.11.2025 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 08.10.2025, and investigation is still going on. The culmination of trial will take its own time. The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.



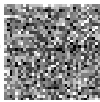
As per the custody certificate filed today by the learned counsel, the petitioner has undergone 1 month and 6 days. Further, as per custody certificate dated 17.11.2025 filed by the learned State counsel, the petitioner is not shown to be involved in any other FIR/case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the



State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
- 11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

18.11.2025

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