



\$~3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4772/2024, CRL.M.A. 38910/2024**
JAGPAL KAUR

.....Petitioner
Through: Mr. Ajay Bahl, Mr. Jagjit Singh, Mr.
Vikash Sharma and Ms. Deepiksha
Bhatt Sharma, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent
Through: Ms. Meenakshi Dahiya, Ld. APP for
the State with ACP Naresh Kumar
and Insp. Gulshan, AGS, Crime
Branch.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
15.01.2025

%

1. A Bail Application under Section 482 of BNSS for grant of Anticipatory Bail has been filed on behalf of the Petitioner Smt. Jagpal Kaur wife of Sh. Harinder Singh in FIR No.360/2019 under Section 7/13 PC Act read with Sections 419/420/465/466/467/468/471/474/120B IPC and Section 12 Passport Act.
2. The case of the prosecution is that the present FIR was registered by the Crime Branch on 18.12.2019 on the complaint received from Special Crime Branch, Delhi Police. Thereafter Vigilance levied allegations against 343 accused persons of obtaining passports on false documents in obtaining



of false Police Verification Report on Passport Applications. On the basis of the fake documents and false Police Verification, 343 passports got issued. Further investigations revealed that six police officials were involved in giving false Verification Reports who were made accused in the present case. The 343 persons in whose name the false Passports were issued, were also made co-accused.

3. On 23.04.2024, while searching for the other accused persons, SI Pawan Kedia met Sh. Harinder Singh @ Arvinder Singh husband of the Applicant who was arrested and he disclosed about the fake Passport of his wife Jagpal Kaur. The husband had disclosed that he was duped by one agent Mr. Irfan who had misused his documents and forged School Leaving Certificate and other documents without his knowledge.

4. Learned counsel on behalf of the Applicant submits that the Applicant is 58 years old housewife, living with her husband and has no criminal history nor is she an accused in any other case. It is further submitted that she is an Afgan National who had migrated to India in 1992 and since then has a Refugee status. It is further argued that she is a victim of circumstances as they had to flee from their own country on account of the atrocities been committed upon them in the said country. Here also, they have been duped by the Agents who have forged their documents without their knowledge, to get the Passport.

5. It is further argued that the other co-accused persons who were also similarly placed and were victims of the Agents, have already been granted bail.

6. The Applicant is suffering from multiple Sclerosis and chronic autoimmune disease that affects the central Nervous System and leads to



various other ailments. The medical history has already been verified by the Police.

7. It is, therefore, submitted that she be granted Anticipatory Bail and shall abide by any conditions that may be imposed while granting bail.

8. Learned Addl. Public Prosecutor on directions from the I.O, states that there are as many 343 persons who had entered into a conspiracy for obtaining the fake passports with the assistance of two Agents and six Police officials. It is argued that looking at the gravity of the offence, Bail may not be granted.

8. **Submissions heard and record perused.**

9. The accused admittedly has joined investigations and the other co-accused persons who are similarly placed, have already been granted bail. Considering the nature of allegations and that the accused is a lady of about 58 years, who is suffering from various medical ailments, it is directed that that in the event of his arrest, the petitioner shall be admitted to bail by the Investigating Officer/Arresting Officer subject to the following conditions:

- (i) The petitioner shall furnish a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer;
- (ii) The petitioner shall furnish her cellphone number to the Investigating Officer on which she may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- (iii) If the petitioner has a passport, she shall surrender the same to the Investigating Officer and shall not travel out of the country without prior permission of the Trial Court;



(iv) The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

10. The Petition stands disposed of in the above terms.

NEENA BANSAL KRISHNA, J

JANUARY 15, 2025/va