

(2011) 04 P&H CK 0339

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-7859 of 2011

Ranjit Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: April 28, 2011

Acts Referred:

- Passports Act, 1967 - Section 12
- Penal Code, 1860 (IPC) - Section 120B, 419, 420, 467, 468

Hon'ble Judges: S.S. Saron, J

Bench: Single Bench

Judgement

S.S. Saron, J.

Heard learned Counsel for the parties.

2. The Petitioner seeks regular bail in a case registered against him on 21.7.2008 for the offences under Sections 419, 420, 467, 468, 471 and 120-B IPC; besides, Section 12(b) of the Passport Act.

3. The FIR in the case has been registered after recording a joint statement of Amrik Singh Panch and Kulwant Singh, Panch residents of Village Ibrahimwal. It is stated by them that they knew Manjit Singh son of Avtar Singh. His name, father's name, caste were correct. He was not taking part in any terrorist or political activities and was doing house-hold work. He was getting his passport prepared for the first time and the photo affixed on the form was his photograph. It was stated that he (Manjit Singh) bears good moral character and that they authenticate the same. It is during the verification of the passport file of Manjit Singh the Police went to Village Ibrahimwal where Manjit Singh was called by Amrik Singh Panch and Kulwant Singh Panch. They got their said statement recorded before Balwinder Singh Constable. However, from secret inquiry, it was found that Manjit Singh had prepared a false document for getting the passport prepared and that his real name was Ranjit Singh (Petitioner). A photo copy of the voter list and copy of identity card

of Election Commission was procured; besides, Ranjit Singh had taken loan from Co-operative Bank, Kapurthala (Branch Ibrahimwal) where he had given an affidavit in the said Bank in the name of Ranjit Singh. Therefore, the Petitioner was getting his passport made in the name of Manjit Singh.

4. The case is triable by the Magistrate of the 1st Class. The offence u/s 12(b) of the Passport Act, 1967 provides for punishment with imprisonment for a term which may extend to two years or with fine which may extend to Rs. 5,000/-or with both. The Petitioner was arrested in the case on 21.2.2011 and since then he is in custody. The prosecution is to establish its case by leading evidence. The trial in the case is likely to take time.

5. In the facts and circumstances, the Petitioner on his furnishing personal bond and surety to the satisfaction of the learned trial Court shall be admitted to bail.

6. The criminal miscellaneous petition stands disposed of.