

STATE VS. GURPREET SINGH & ORS

FIR No.181 dated 16.05.2024
under Sections 24 of Immigration Act, 420, 120 B IPC
P.S. Zirakpur.

APPLICATION FOR GRANT OF BAIL

Present: Sh. Sachin Kumar APP for the State.
Sh. Jashan Mehta Advocate counsel for applicant/accused
Gurpreet Singh Sandhu.
Sh. R.K.Sharma Advocate counsel for applicant/accused
Vijay & Parminder Singh.

ORDER:

This composite order shall dispose off three applications for grant of bail moved by the accused persons namely Gurpreet Singh Sandhu, Vijay and Parminder Singh, wherein it has been pleaded that applicants are innocent persons and they have been falsely implicated in this case just to harass them. The plea of the applicant is that false case has been planted upon them. With these averments a prayer for releasing the accused on bail has been made.

2. Upon notice, prosecution has filed the reply and contested the bail applications citing the apprehension of misuse of concession of bail and possibility of accused absconding from the process of law. He further submitted that accused persons were doing the illegal business of Travel/Consultancy/Ticketing Agency/Visa Consultancy and have committed cheating & fraud with the Government. Further more than Rs. 2 crores so collected by the accused by cheating the innocent people has been recovered from them, so bail application of the accused persons may be dismissed.

3. I have given thoughtful consideration to the respective submissions of both the sides and have also gone through the record.

4. In the present case the allegations against the applicants is that of cheating of lakhs of rupees & fraud allegedly committed upon the Government as well as on the innocent people as the accused persons were doing the illegal business of Travel/Consultancy/

Ticketing Agency/Visa Consultancy. Further more than 2 crores amount allegedly collected by them by duping many people has been recovered from them. From the record it is clear that the applicants/accused persons are facing serious allegations of cheating and fraud. There is apprehension that the accused persons may temper with the evidence of the prosecution or abscond from the process of law if they are set at liberty after granting them the concession of bail. Reliance can be placed observations made in case titled as **Jaspal Singh Gill Vs. State of Punjab, AIR 1984 (SC) 1503**, wherein it has been laid down as under:-

The Court while granting bail in non bailable offence should take into consideration, the following factors amongst others:-

1. The nature and gravity of offence,
2. The reasonable probability of presence of the accused to be secured,
3. The possibility of the accused in tampering with the prosecution evidence,
4. Larger interest of the State or the public.

So, applying these considerations and keeping in view of the fact and circumstances of the case, this court is constrained to hold that accused/applicants Gurpreet Singh Sandhu, Vijay and Parminder Singh are not entitled to the concession of bail in this case as there is apprehension that accused may misuse the same if released on bail. Thus, applications moved by the applicants/accused are hereby dismissed without expressing any opinion on the merits of the case. The three bail applications of the applicants Gurpreet Singh Sandhu, Vijay and Parminder Singh stands disposed off accordingly.

Announced in open Court:
29.05.2024

Parveen
Stenographer-II

(Ramesh Kumar) PCS
Judicial Magistrate Ist Class
Dera Bassi/ UIDPB0456

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Reply filed by learned APP for the State.

Arguments on bail applications heard. Vide my separate
detailed order of even date bail application moved by
applicants/accused Gurpreet Singh Sandhu, Vijay and Parminder Singh
has been dismissed and disposed of accordingly. Papers be tagged with
the remand papers.

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29.05.2024

Parveen
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(Ramesh Kumar) PCS
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