

Bail Application No. 2295/22
FIR No. 275/22
PS. Crime Branch
U/s 419/120B/420/465/467/468/471/472/34 IPC r.w Section 12
Passport Act
State Vs. Nanda Ballabw Joshi

30.12.2022

Present: Sh. Ravindra Kumar, Ld. Addl. PP for State.
Dr. Vimal Verma, Ld. Counsel for applicant/accused.
IO/SI Ajay Kumar is present in person.

This is a bail application of accused Nanda Ballabw Joshi. Reply to the bail application has been filed. Copy given. I have heard the arguments on the bail application.

It is submitted by the counsel for the accused/applicant the accused has been falsely implicated in the present case. There is no evidence of any forgery or cheating having committed by the accused/applicant. Ld. Counsel submits that allegedly 32 passports were recovered the same genuine. He submits that prosecution has not recorded statement of any aggrieved person or complainant regarding cheating of fake Visa, etc. he further submits by Ld. Counsel for accused/applicant that co-accused in this case namely Baldev Raj and

Kuldeep Singh have already been granted bail and case of the accused/applicant is also on the same footing.

Ld. Additional PP for the State on the other hand opposed the bail application on the ground that during the investigation accused/applicant was found near open space of cabin No. 3 and accused/applicant as well as one Sunil Bisht was running the said office in the name of M/s Green Tour and Travels. Ld. Additional PP for the State submits that large number of accounts statement of different persons and different bank statements were found which was found to be false and from the possession of the accused 32 passports were recovered.

I have perused the record in the light of respective arguments. It is the case of prosecution that on 25.11.2022, police officials received a secret information that an illegal racket of forgery of Visa of different countries, bank account statements and other documents required for procuring Visa is operating in Delhi. On the basis of this information, a raid was carried out at premises No. C-22/2, 1st Floor, Middle Circle, Connaught Place, New Delhi and premises No. 5, Scindiya House, Connaught Place, New Delhi. During raid, police officials apprehended Sunil Bisht, Ansh Madan and Bitu Panchal, who were found occupying the cabins at premises No. C-

22/3, 1st Floor, Middle Circle, Connaught Place, New Delhi. It is the prosecution's case that during the search proceedings, applicant Baldev Raj, Pankaj Kumar Shukla, Kuldeep and Balihar Singh came at the spot and they were also apprehended. It has been stated that passports were recovered from the associates of the applicant and it was also revealed that co-accused Nanda Ballabw Joshi (applicant/accused) and Sunil Joshi were running the said office under the name & style of M/s Green Tours & Travels. During search, statements of account of different bank were recovered and it has been stated that some of the statements were found to be forged.

No doubt, the 32 passports were recovered from the possession of the accused to admittedly accused/applicant was running a Tour and Travel agency. It is also note the case of prosecution that passports recovered from the possession of the accused were fake, rather found to be genuine. It is also admitted position that none came forward to give the complaint regarding alleged fake Visa having been given or provided by the accused/applicant. Accused/applicant is in judicial custody since 26.11.2022 and no more required for custodial interrogation or investigation.

In such circumstances, I am of the view that accused is

entitled for the bail upon furnishing of bail bonds in the sum of Rs.50,000/- with one surety of the equal amount to the satisfaction of Ld. CMM/Ld. MM/Ld. Duty MM, subject to following conditions :

- (1) That accused shall not leave the country without prior permission of court concerned.
- (2) That accused shall not try to influence the witnesses or tamper with evidence in any manner.
- (3) That accused shall appear on each and every date before the trial court.

Application disposed off accordingly.

(Shailender Malik)
Vacation Judge/ASJ-03
NDD/PHC/ND/30.12.2022