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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 28.10.2026*

\# **CNR No. DLHC010514742026**

\+ **BAIL APPLN. 4556/2026, CRL.M.A. 33591/2026, 33590/2026 & 33589/2026**

AVTAR SINGH @ HAPPY .....Petitioner

Through: Counsel for accused/applicant (*appearance not given*).

versus

STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Amit Ahlawat, APP for State with Investigating Officer/SI Madan Lal.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 178/2026 of PS IGI Airport for offence under Section 318(4)/336(3)/340(2)/61(2) of BNS and Section 12 of the Passports Act.

2. Broadly speaking, allegation against the accused/applicant is that he

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provided forged Canadian Visa to a passenger namely Bhinderjit Singh, who was intercepted by airport authorities while trying to travel on that forged Visa. At that time, Bhinderjit Singh was trying to travel to Colombo from where he intended to travel to Canada on the forged Visa. According to prosecution, the said Visa was found forged on being checked from the concerned Embassy. Further, according to prosecution, the accused/applicant is involved in three more cases of similar nature registered in Punjab.

3. At the outset, learned APP for State assisted by Investigating Officer/SI Madan Lal points out that despite specific opportunity granted on last date, the accused/applicant has again concealed the fate of his earlier anticipatory bail applications.

4. It appears that on 16.10.2026, the earlier anticipatory bail application no. 4480/2026 filed by the accused/applicant was allowed to be withdrawn with liberty to file afresh after disclosing the orders passed in previous anticipatory bail applications. The said anticipatory bail application no.4480/2026 was the second anticipatory bail application, the first one being bail application no.4044/2026, which also had been withdrawn for same reason. The present anticipatory bail application is the third application filed in this court, but again suffers the same vice of concealment. The order dated 16.10.2026 whereby the second anticipatory bail application was allowed to be withdrawn has not been filed with this anticipatory bail

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application despite the fact that the withdrawal of second application was allowed so that orders passed on all bail applications could be placed before the court.

5. More serious than the above is that the affidavit (*at page 20 of paperbook*) filed in compliance with the directions of the Supreme Court in the case of ***Zeba Khan vs State of U.P. & Ors.,*** 2026 INSC 144 appears to have been forged. That is so, because signatures of the deponent at the end of body of the affidavit are completely distinct from the signatures at the end of verification of the affidavit. Not just this, the affidavit mentions the second anticipatory bail application no.4480/2026 dismissed as withdrawn, which dismissal was by order dated 16.10.2026, but the said affidavit is dated 03.10.2026 and notarized on 03.10.2026 itself. It is not possible that an affidavit sworn on 03.10.2026 would mention the dismissal dated 16.10.2026. In fact, as mentioned above, even the signatures on the page where body of the affidavit ends are different from signatures on the page where verification is recorded. Not just that, even the *vakalatnama* on the basis whereof the present anticipatory bail application was filed is dated 30.09.2026, whereas the earlier anticipatory bail application was dismissed on 16.10.2026. It means that same *vakalatnama* which was filed with earlier anticipatory bail application has been filed with this application as well. It appears that the accused/applicant is not even aware that the earlier anticipatory bail application was withdrawn and the same has been again filed.

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6. Considering the above circumstances, I do not find it a fit case to grant anticipatory bail to the accused/applicant. Therefore, the anticipatory bail application and accompanying applications are dismissed.

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GIRISH KATHPALIA
(JUDGE)

OCTOBER 28, 2026/*ry*

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