

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.19060 of 2006

ORDER:

1. This writ petition is filed seeking to quash the order dated 27.1.2006 with reference No.VIII-402/App-212/05 issued by the 2nd respondent as illegal and arbitrary.

2. It is averred that the 4th respondent, who is the wife of the petitioner, filed a complaint against him for the offence under Section 498-A IPC. On the representation made by the 4th respondent to impound the passport of the petitioner, the passport of the petitioner was impounded on the ground that a criminal case is pending against the petitioner for the offence under Section 498-A IPC. Aggrieved by the same, the petitioner preferred an appeal and the said appeal was also dismissed. Hence, the present writ petition has been filed.

3. When this matter has come up for hearing, the learned Counsel for the petitioner submitted that in view of the settlement between the petitioner and the 4th respondent, the criminal case filed by the 4th respondent against the petitioner was quashed vide order dated 21.11.2014 in CrI.P.No.5189 of 2014, and mutual divorce was also obtained by the petitioner.

4. The passport was impounded on the ground that criminal proceedings are pending against the petitioner. Since the criminal proceedings against the petitioner were quashed, this Court is of the view that the passport of the petitioner can be returned.

5. Considering the above facts and circumstances of the case, this writ petition is disposed of directing the 2nd respondent to return the passport to the petitioner or to his GPA holder. No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand

closed.

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RAJA ELANGO, J

Dated:20th February, 2015

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20.02.2015

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