

***IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH***

CRM No.M-10226 of 2015 (O&M)

Date of decision:30.03.2015

Anil Goyal & another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Suman Jain, Advocate for the petitioners.

...

TEJINDER SINGH DHINDSA, J.

An application filed by the present petitioners seeking release of their passports was rejected vide order dated 21.02.2015 passed by the learned JMIC, Faridabad (Annexure P-6). A revision petition preferred by the petitioners has also been dismissed vide order dated 27.02.2015 at Annexure P-8 by the Additional Sessions Judge, Faridabad.

It is towards impugning the orders at Annexures P-6 and P-8 that the instant petition has been filed under Section 482 Cr.P.C. and further a prayer has been raised that the passports of the present petitioners be released so as to facilitate their going abroad for business purposes.

Counsel for the petitioners has been heard at length and the pleadings on record have been perused.

It has gone uncontroverted that the application preferred by the petitioners for release of their passports was towards visiting Dubai to participate in an exhibition, which was slated for 02.03.2015 to 05.03.2015. Clearly, such application had been filed for the definite and specific purpose and which already stands lost inasmuch the dates of the exhibition have

already elapsed.

Counsel would, however, place reliance upon the order dated 08.03.2013 passed by this Court in CRM No.M-5561 of 2013, whereby benefit of regular bail was granted to the petitioners in FIR No.214 dated 13.09.2012, under Sections 420/406/120-B IPC registered at PS Bhupani, District Faridabad.

Counsel would contend that in the light of the observations contained in such order, the petitioners had thereafter taken concrete measures for completion of flats and also had applied for occupation certificate of such flats from the Director, Town & Country Planning, Haryana.

Suffice it to notice that such submission and ground had never been raised by the petitioners in the application seeking release of the passports and which has been declined in the light of the impugned orders at Annexures P-6 and P-8.

As such, while declining to interfere in the present petition filed under Section 482 Cr.P.C. and without making any observations as regards the right of the petitioners to secure the release of their passports, liberty is granted to the petitioners to approach the trial Court by filing an appropriate application seeking release of their passports on such grounds and submissions as raised in the instant petition and in the eventuality of any such application being filed, the same would be dealt with on merits.

Disposed of.

30.03.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**