

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-30578-2015
Date of decision:29.9.2015

Gurpal Singh Brar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Harit Sharma, Advocate for the petitioner.
Mr. Daljeet Singh Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner, by way of instant petition under Section 482 of the Code of Criminal Procedure, seeks quashing of the order dated 24.8.2015 (Annexure P-6), whereby his application for permission to go abroad to attend the marriage of his grand daughter, was dismissed by the learned trial Court.

Notice of motion was issued.

Learned counsel for the petitioner submits that since the marriage of the daughter of the petitioner is scheduled to be held on 10.10.2015 in Canada, the instant matter deserves immediate attention of the Court, failing which the very purpose of filing of the present petition would be defeated. The factual aspect of the matter has not been denied on behalf of the respondent-State that the marriage of the grand daughter of the petitioner is scheduled to be held on 10.10.2015 in Canada. Further, petitioner seeks permission of the Court to go abroad only for a period of two weeks for attending the marriage of his grand daughter.

Having heard the learned counsel for the parties at considerable length and after careful perusal of the record of the case, this Court is of the considered opinion that in the peculiar facts and circumstances of the case, petitioner deserves the limited relief to go abroad for a period of two weeks to attend the marriage of his grand daughter. In fact, no compelling reason has been pointed out which may disentitle the petitioner for the relief prayed for.

In view of the above and without commenting on the merits of the criminal proceedings being faced by the petitioner, lest it should prejudice the rights of either of the parties, the instant petition is allowed. Petitioner is granted the permission to go abroad for a period of two weeks w.e.f. 3.10.2015 to 18.10.2015. Thereafter, petitioner shall get his presence recorded before the learned trial Court on or before 21.10.2015. Petitioner is also directed to furnish appropriate undertaking and surety before the learned trial Court on the date already fixed, i.e. 1.10.2015, to the satisfaction of learned trial Court. Thereafter, petitioner shall be allowed to go abroad for a period of two weeks, as indicated above.

With the above-said observations made and directions issued, the present petition stands disposed of.

29.9.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE