

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M-5431 of 2015.

Date of Decision: May 15, 2015.

Malkeet Kaur

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

1. Whether the judgment should be reported in the digest? Yes/No
2. Whether to be referred to the Reporter or not? Yes/No

Present: Mr. A.S. Sullar, Advocate for the petitioner.

Mr. A.S. Klar, Assistant Advocate General, Punjab.

SNEH PRASHAR, J.

This petition under Section 482 of the Code of Criminal Procedure (in short, “Cr.P.C.”) was filed by petitioner Malkeet Kaur seeking permission to visit her son in Italy alongwith her husband Chuhar Singh, for a period of four months. The petitioner is facing trial in a case First Information Report No.28 dated 12.02.2013 under Section 380 of the Indian Penal Code (in short, “I.P.C.”) registered at Police Station Rajpura, District Patiala, on a complaint given by her daughter-in-law Gurpreet Kaur.

Heard the submissions made by Mr. A.S. Sullar, learned counsel representing the petitioner and Mr. A.S. Klar, learned Assistant Advocate General, representing the State of Punjab.

Vide order dated 12.03.2015, the petitioner had undertaken to furnish indemnity bond in the sum of Rs.1 lac with the trial court as a security for her return. Learned counsel for the petitioner filed copy of the order dated 13.04.2015 of Sub Divisional Judicial Magistrate, Rajpura and a challan of even date according to which the petitioner has deposited Rs.1 lac with the trial court as security for her return.

Learned counsel submitted that the VISA of the petitioner was issued on 25.11.2014 which is valid only for one year and the petitioner will be back before her VISA expires. Learned counsel also submitted that the petitioner will have no objection if the proceedings in the case continue and the evidence is recorded in her absence.

Considering the aforesaid facts, the instant petition is allowed to the extent that the petitioner is permitted to visit Italy for a period of four months. However, before leaving she will appear before learned trial court and submit an undertaking that she will have no objection to the recording of the evidence in the case in her absence and will also report to the Court on her return.

(SNEH PRASHAR)
JUDGE

May 15, 2015
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