

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

Crl. Misc. No.M-13899 of 2016

Date of Decision: 13.05.2016

Surinder Kaur

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Ramandeep Singh Pandher, Advocate
for the petitioner.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C for quashing of Order dated 02.04.2016 passed by the Sub Divisional Judicial Magistrate, Kharar, whereby, the application filed by the petitioner for release of her passport has been dismissed.

Learned counsel for the petitioner submits that the petitioner was released on interim bail vide order dated 17.02.2016 and the same was made absolute vide order dated 14.03.2016 passed by the Additional Sessions Judge, SAS Nagar (Mohali). The investigation of the case has been completed and it was mentioned at the time of granting bail by the Investigating Officer that the petitioner has joined the investigation and she is not required any further. The application moved by the petitioner for

release of her passport has been dismissed without taking into consideration the fact that the investigation has been completed. Learned counsel also submits that the said application was moved for visiting *Thailand* as her husband and son are residing there and there is a family function in the end of May, 2016. Learned counsel for the petitioner has also placed on record the copy of Invitation Card (Annexure P-7) to support her contentions.

Learned counsel for the respondent-State, on instructions from ASI Deep Singh, submits that the petitioner has joined the investigation and at present, she is not required. He further submits that certain terms and conditions may be imposed upon the petitioner so that she may return well in time.

In view of the submissions made by learned counsel for the parties and after considering the request of the petitioner as she has joined the investigation and is not required at present and also that her husband is stated to be an owner of Flat No.C-19, 2nd Floor, Achariya Kriplani Road, Adarsh Nagar, Delhi and she is ready to furnish the security and undertakes to come back after a period of two months from today. She has also undertaken that her husband is ready to furnish the adequate surety/security to the satisfaction of the trial Court, in case, the passport of the petitioner is released for visiting *Thailand*. The request is accepted and the trial Court is directed to release the passport of the petitioner for visiting *Thailand* subject to her furnishing security of house as mentioned above and to impose any terms and conditions as may think proper.

The petition is disposed of accordingly.

13.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE