

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2607-2017

Date of Decision:- 23.03.2017

Surinder Kaur and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. I.S. Parmar, Advocate,
for the petitioners.

Mr. APS Gill, AAG, Punjab.

RITU BAHRI, J. (Oral)

Petitioners have filed the present petition for quashing of order dated 03.12.2016, passed by learned JMIC, Jagraon (Annexure P-7) and order dated 20.12.2016, passed by learned Additional Sessions Judge, Ludhiana (Annexure P-8) whereby an application dated 21.11.2016 (Annexure P-6) has been dismissed and permission to go to Italy has been declined.

Learned counsel for the petitioners restricts his prayer to petitioner No.1 only as the allegations with regard to molestation of daughter of the complainant could only be attributed to her son, namely, Manjeet Singh, who is in custody. Moreover, petitioner No.1 is permanent resident of Italy since 2003 and is ready and willing to furnish any

guarantee/surety as imposed by the Court.

In the present case, the petitioners have been declared proclaimed offender, vide order dated 25.04.2012, passed by JMIC, Jagraon and thereafter the revision filed against the said order before the learned Additional Sessions Judge, Ludhiana, has been allowed, vide order dated 11.04.2016 (Annexure P-4). Further, vide order dated 22.08.2016 passed in CRM-M-22833-2016, by this Court, the petitioners have been granted the concession of anticipatory bail on the ground that their custodial interrogation was not required.

Keeping in view the above-said facts, order dated 03.12.2016, passed by learned JMIC, Jagraon (Annexure P-7) and order dated 20.12.2016, passed by learned Additional Sessions Judge, Ludhiana (Annexure P-8) are hereby set aside qua petitioner No.1 and accordingly she is being granted permission to go to Italy from 31.03.2017 to 30.06.2017, subject to the condition that she will furnish heavy surety to the satisfaction of the trial Court. Further, she is directed to return back to India on 01.07.2017 positively.

With the above-said observations, the present petition stands allowed qua petitioner No.1.

March 23, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No