

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

Crl. Misc. No. M-4318 of 2017

Date of Decision : December 11, 2017

Surinder KaurPetitioner

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

...

Present: Mr. R.S.Sekhon, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

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LISA GILL, J. (Oral)

This petition has been filed for quashing of order dated 26.09.2016 passed by the learned Judicial Magistrate 1st Class, Moga, whereby application by the present petitioner to return the original passport of the applicant has been dismissed primarily on the ground that though the petitioner was found innocent during investigation the matter is still under investigation and final report has not yet been submitted.

Learned counsel for the State informs that cancellation report in this case has been filed.

Copy of the order dated 01.12.2017 passed by the learned Judicial Magistrate 1st Class, Moga, produced in Court today is taken on record subject to just exceptions. Order dated 01.12.2017 reads as under:-

*“Cancellation report filed today. Hardial Singh aged 60 years
son of Harbans Singh r/o Langiana Nava, District Moga has*

come present and suffered his separate statement that he is attorney of Saminder Kaur. He brought the original power of attorney and produced the copy of the same is Exs.P1. He further suffered statement that complainant Saminder Kaur entered into compromise with the accused and she has no objection of cancellation report be accepted. Now to come upon 09.12.2017 for consideration.”

It is apparent that the matter has been compromised between the parties. Order dated 26.09.2016 passed by the learned Judicial Magistrate 1st Class, Moga, is accordingly set aside and keeping in view the facts and circumstances of the case as noted above, it is directed that original passport of the petitioner be returned to her.

Petition is disposed of.

11.12.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No