

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

Criminal Misc. No.M- 11021 of 2018(O&M)

Date of Decision: March 16 , 2018.

Harvinderjit Singh @ Harwinderjit Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Dhirinder Chopra, Advocate
for the petitioner.

Mr. Sukhbir Singh, AAG, Punjab.

LISA GILL, J.

This petition has been filed for quashing of order dated 13.03.2018 (Annexure P5) passed by the learned Judicial Magistrate First Class, Moga and consequently, for grant of permission to the petitioner to visit Sweden till 13.06.2018.

It is submitted that the petitioner has been facing trial regularly in FIR No.7 dated 17.01.2010, under Sections 420/406/498A/ 467/472/494/120B IPC, Police Station Moga City. He was afforded permission to go abroad on earlier occasions and appeared before the learned trial court on the stipulated dates. When the petitioner was not able to come in time due to certain medical problems, necessary extension was sought and granted. It is further submitted

that the matter, in the interregnum, has been amicably resolved between the parties and CRM No.M-47713 of 2017 has been filed for quashing of the aforementioned FIR on the basis of compromise between the parties. Statements of the parties in respect to the settlement have been recorded before the learned Judicial Magistrate First Class, Moga on 05.03.2018. The matter has been adjourned for 15.05.2018 by the learned trial court. The petitioner, it is submitted, undertakes to appear before the learned trial court on the said date i.e., 15.05.2018, in case the FIR in question is not quashed till then. It thus prayed that this petition be allowed.

Learned counsel for the State is unable to deny that on earlier occasions, the petitioner was permitted to visit Sweden on various occasions. It is further not denied that the matter has been amicably settled between the parties.

Keeping in view the peculiar facts and circumstances of the case, order dated 13.03.2018 (Annexure P5) passed by the learned Judicial Magistrate First Class, Moga is set aside. The petitioner is permitted to go to Sweden till 15.05.2018 subject to conditions as may be imposed by the learned trial court. He is directed to appear before the learned trial court on 15.05.2018, in case the FIR in question is not quashed till that date.

Disposed of accordingly.

March 16 , 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No