

CRM-M-13709-2018

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

CRM-M-13709-2018

Date of Decision: 6th April, 2018

Harpal Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rahul Bhargava, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Ruhani Chadha, Advocate
for respondents No.2 and 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition under Section 482 of Code of Criminal Procedure is to go abroad during the pendency of CRM-M-12682-2018, which has been preferred by the petitioner for quashing of FIR No. 252 dated 12.10.2016, registered at Police Station Chherretta, Amritsar City, under Sections 420, 465, 467, 468 and 471 of the IPC on the basis of compromise dated 21.03.2018 (Annexure P-2), which is now listed for hearing for 17.04.2018.

It is the contention of the learned counsel for the petitioner that the petitioner is required to be present at Winnipeg (Canada) as he has to take oath of citizenship of Canada on 10.04.2018. Intimation to that effect received by him is dated 08.03.2018, which has been appended with the

CRM-M-13709-2018

petition as Annexure P-7. Counsel contends that the petitioner will be going to Canada on 09.04.2018 to participate in the oath taking ceremony to be held on 10.04.2018 and return back to India on 16.04.2018, so that he can be present in Court on 17.04.2018 to acknowledge his statement, which has been given before the Court below, as per the order passed by this Court in CRM-M-12682-2018.

Counsel for respondents No.2 and 3 acknowledges the factum of compromise dated 21.03.2018 (Annexure P-2), which has been entered into between the parties.

Keeping in view the statements of the parties, which have been recorded by the Judicial Magistrate First Class, Amritsar, dated 27.03.2018 (Annexure P-6) and the reasons assigned as to why the petitioner intends to go to Canada, which is duly supported by the communication dated 08.03.2018 (Annexure P-7), the present petition is allowed. Petitioner is granted permission to go to Canada on 09.04.2018 and return back to India on 16.04.2018. The passport of the petitioner be handed over to him forthwith and on fulfillment of requisite formalities.

Copy of this order be given **dasti** to the counsel for the parties under the signatures of the Bench Secretary of this Court.

6th April, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No