

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21859-2018 (O&M)

Date of decision : 01.06.2018

Surinder Pal Kaur alias Surinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kartikeya Swaroop Mehta, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 482 Cr.P.C. for quashing the order dated 27.04.2018, passed by the learned Addl. Chief Judicial Magistrate, SBS Nagar (Annexure P-3) and order dated 08.05.2018, passed by the learned Addl. Sessions Judge, SBS Nagar and for permitting the petitioner to go to England for a period of three months so as to allow herself to continue with her treatment in case FIR No.03 dated 13.03.2013, registered under Sections 419, 420, 448, 467, 468, 471, 120-B IPC at Police Station NRI, SBS Nagar.

Learned counsel for the petitioner has placed on record the copies of passport and visa of the petitioner. The same are taken on record.

The petitioner is a British citizen. She had come to India on the visa issued by Government of India w.e.f. 03.07.2013 till 02.07.2018.

It has also been submitted that now the petitioner wants to go abroad. Apart from it, her visa is to be expired on 02.07.2018. She is 68

years old and a patient of numerous age related diseases especially diabetes type II, High BP, Hx Rheumatic fever, depression, skin related problems etc. and she wants to seek medical treatment from the doctors in England and prays that she be allowed to visit England for a period of three months. It has been further submitted that challan has not been presented and trial has not been initiated.

Keeping in view the facts and circumstances of the case, the petitioner is allowed to go England for a period of three months on furnishing bank guarantee for an amount of Rs.5,00,000/- and surety for an amount of Rs.20,00,000/- to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, SBS Nagar, subject to the conditions, if so imposed, by that Court. The petitioner is also directed to furnish the undertaking before the Chief Judicial Magistrate/Duty Magistrate, SBS Nagar, that she will come to India on or before the expiry of a period of three months.

The instant petition stands disposed of accordingly.

01.06.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No