

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

Crl. Misc. M 24360 of 2018 (O&M)
Date of Decision: 26.7.2018

Amit @ Pushpdeep Taya

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

Mr. Pardeep Sehrawat, Advocate, for
Mr. Vivek Goyal, Advocate,
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 482 of the Code of Criminal Procedure seeking to set aside the order dated 25.5.2018 passed by the learned Additional Sessions Judge, Karnal, passed in FIR No. 535 dated 9.7.2012 under Sections 406, 498-A, 313, 493 and 495 of the Indian Penal Code registered at Police Station Civil Lines, Karnal, District Karnal, whereby the request of the petitioner for extending the order granting permission to go abroad has been declined.

Mr. Parminder Singh, Advocate, appearing on behalf of the petitioner, submits that the petitioner was seeking extension of his stay in

Australia on the ground that the daughter of the petitioner, aged 8 years, is

studying there and his presence was required there to help her undertake her examinations. It is in this background the petitioner was allowed extension of his stay in Australia till 30th June, 2018, vide order dated 1st June, 2018. Subsequently, another request was moved seeking extension of stay which was again allowed by order dated 18th June, 2018.

Today learned counsel for the petitioner is pressing for further extension by submitting that one witness is yet to be examined, who is residing in Australia and has not been summoned as on date.

Per contra, learned counsel for the respondent—State submits that the petitioner is time and again seeking extension of his stay in Australia without any justifiable reasons and the trial is being delayed.

I have heard learned counsel for the parties and taken note of the fact that the petitioner herein has already been allowed two extensions, whereas he was supposed to come back to India on 30th June, 2018. It is also noted that there is no documentary proof to establish on record that the witness who had been summoned for 30th June, 2018 is not going to be present.

In view of the aforesaid facts, this petition is dismissed.

26.7.2018

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No