

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

Criminal Misc. No.M-34042 of 2018 (O&M)

Date of Decision: September 14, 2018

Gurmail Singh and another

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioner (s).

Mr. Karanbir Singh, AAG Punjab.

SURINDER GUPTA, J.

This is petition under Section 482 Code of Criminal Procedure seeking quashing of order dated 23.07.2018 (Annexure P-5) passed by Judicial Magistrate 1st Class, Garhshankar vide which application moved by the petitioners for permission to go abroad has been dismissed.

Heard.

Learned counsel for the petitioners submits that Immigrant Visa allowed by US Government to the petitioners, is expiring on 21.09.2018 and they are required to visit United States and stay there for about 12 weeks so as to obtain green card there. The petitioners will return immediately on issuance of green card to them or latest by 1st of January, 2019.

Learned State counsel submits that investigation is at final

stage and challan is likely to be presented in two weeks' time.

Keeping in view the statement of learned counsel for the petitioners, this petition is allowed. Petitioners are permitted to visit United States upto 31.12.2018 on furnishing adequate surety to the satisfaction of learned Illaqa/Duty Magistrate. They will appear before the Illaqa/Duty Magistrate on 03.01.2019.

The final report, however, may be presented before the Court in the absence of petitioners.

September 14, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No