

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-4254-2018 (O&M)

Date of Decision:18.12.2018

Sandeep Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: None for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for setting aside the order dated 24.11.2017 passed by learned Judicial Magistrate 1st Class, Amritsar, whereby learned Magistrate had directed the petitioner to hand over the passport in court in FIR No.60 dated 18.03.2017 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station Sultanwind, Amritsar, failing which the matter would be re-considered regarding grant of bail to the petitioner.

In the aforesaid FIR, 17 accused were nominated and except the petitioner no other accused has been arrested as is clear from the affidavit of Sh. Sudhanshu Shekhar Srivastava, IPS, Commissioner of Police, Amritsar. The affidavit suggests that he had personally examined the case file, wherein it has been revealed that all possible efforts were made to arrest the accused named in the present FIR. The petitioner was arrested in this case on 05.05.2017 and challan against her has been presented. The efforts to

arrest the remaining accused have not yield any result and various FIRs have been registered against the owners and employees of the Crown Group of Companies, who are accused in the present FIR in different police stations of different Districts such as Sangrur, Barnala, Bathinda, Rupnagar, Mansa, Fazilka, Gurdaspur and Patiala. In this manner, all the accused are evading their arrest and have gone underground. 16 accused persons named in the FIR have been declared proclaimed persons by the court. The SHO, Police Station Sultanwind, Amritsar, the in-charge of P.O. staff has also been directed by the Commissioner of Police, Amritsar City, to make efforts vigorously for arrest of these accused persons.

The prayer of the prosecution made before the Magistrate by moving an application for direction to the petitioner to surrender her passport before the trial court has thus rightly been considered and the petitioner was directed to hand over the passport. Thus, this Court does not find any illegality in the order dated 24.11.2017 passed by learned Judicial Magistrate 1st Class, Amritsar.

Dismissed.

December 18, 2018

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No