

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

CRM-M-7741-2018

Date of decision: May 04, 2018

Palvika Singh @ Natika

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. J.S. Santwal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of Code of Criminal Procedure, the petitioner had prayed for quashing of order dated 14.12.2017, passed by the learned Judicial Magistrate, Moga passed in case FIR No.74 dated 28.04.2015 registered for the offences punishable under Sections 420, 506, 120-B of the Indian Penal Code (for short 'IPC') at Police Station City South Moga, District Moga, whereby permission to go abroad for studies has been declined and further to permit the petitioner to go Canada for a period commencing from 07.05.2018 to 14.12.2018 and further four months for internship.

Petitioner is facing trial in case FIR No.74 dated 28.04.2015 for the offence punishable under Sections 420, 506, 120-B of the Indian Penal Code (for short 'IPC'), registered at Police Station City South Moga, District Moga.

Earlier, the petitioner moved an application before the trial court which was declined vide impugned order dated 14.12.2017.

It is not disputed that the petitioner is a meritorious student and has completed her Master's degree in English (Literature) from Panjab University, Chandigarh vide copy of degree (Annexure P-2). Now she intends to pursue graduate certificate in the field of Human Resources Management from Conestoga College Institute of Technology and Advanced Learning, 299 Doon Valley Drive Kitchener, Ontario N2G 4M4 and she has got admission in the abovesaid College and her academic session is scheduled to commence from May 7, 2018 to December 14, 2018.

Learned State counsel has filed the reply contesting the application on the ground that there is reasonable apprehension that petitioner will not return back to India.

In view of the above, the order dated 14.12.2017 passed by learned Judicial Magistrate Ist Class, Moga is hereby quashed and the petitioner may be permitted to go abroad (Canada) on her furnishing bank guarantee of Rs.10.00 lac and subject to the conditions, if any, imposed by the learned trial court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 04, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No