

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

**CRR No.2669 of 2017 (O&M)
Date of Decision: July 31, 2018**

Paramjit Kaur @ Ranjit Kaur Turna

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ankur Bansal, Advocate
for the petitioner.

Ms.Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Paramjit Kaur @ Ranjit Kaur Turna against respondent State of Punjab, challenging the impugned order dated 17.06.2017 passed by learned Addl. Chief Judicial Magistrate, Moga, vide which the application filed by the petitioner for permission to go abroad was dismissed.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case has been registered against the petitioner under Sections 218, 420, 465, 467, 468,

471, 472, 120-B IPC and Section 12 of the Passport Act. Earlier, the

petitioner filed an application for return of passport bearing No.543467258, as the passport in question is of USA and it has no concern with the investigation of the case. Learned trial Court dismissed that application vide order dated 21.02.2017 by showing the apprehension that petitioner-accused may flee from trial if the passport is handed over to her. Then again, another application was moved for release of passport on sapurdari, which was also dismissed on 24.03.2017. The revision petition filed by the accused was also dismissed and this Court held that reasonings given in the order dated 24.03.2017 to the effect that investigation is still pending and the final report is yet to be presented and in case, passport is released, there would be a distinct possibility of the petitioner fleeing from the country, are cogent and valid. Again, an application was filed on 16.07.2017 relating to the present case, where petitioner-accused reiterated the same cause of action. The allegations in the FIR against the petitioner-accused are that she got issued passport by furnishing wrong address and wrong name of her husband and on the basis of that passport, she went to USA, where she also got issued a new passport. There are also allegations that accused forged ration card, school certificate, bank passbook to hide her identity and also attempted to evade the look out notice issued against her by the Indian Government. The Court held that in such type of circumstances, if the permission is granted to the present petitioner to go abroad, then there looms a high probability of her fleeing the country in order to stall the investigation process.

The perusal of the record shows that present petitioner wants to go abroad to leave her minor son there, so that his education may not suffer.

Learned trial Court, on this ground, held that father of the minor is at liberty

to come and take the minor from this country.

From the record and from the allegations against the present petitioner, I find that petitioner by changing her name by hiding her identity and by forging so many documents, went to USA and obtained passport of USA also. If this application is allowed and petitioner is allowed to go abroad, there is every chance that she may not return to India to face trial.

In view of the above discussion, I find that the order passed by learned trial Court, in the facts and circumstances of the present case, is correct, as per law and no illegality has been committed while dismissing the application filed by the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

Since the main case is decided, the pending civil misc. application, if any, also stands disposed of.

July 31, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No