

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

**Crl. Misc. No. M-45915 of 2019 (O&M)
Date of Decision: December 11, 2019**

Ravi Bali

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Eklavya K.Darshi, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.A.G, Punjab.

SURINDER GUPTA, J.(Oral)

The police has confiscated passport of petitioner at the time of his arrest in case bearing FIR No 99 dated 30.12.2011 registered at Police Station Phase-11, District S.A.S. Nagar, Mohali. The petitioner sought release of his passport, however, learned Additional Chief Judicial Magistrate, S.A.S.Nagar, Mohali, declined his application and ordered that the passport shall be construed as surrender of the passport by the accused in view of order of the Court.

Learned State counsel submits that the petitioner is permanent resident of New Zealand. His family and children are residing there. In the event of passport being released to him, he may again abscond and evade the trial.

Learned counsel for the petitioner submits that petitioner is an

Indian citizen having passport of this country. He will not leave the country without permission of the Court and this is also one of the term of his bail order.

It is not disputed that the passport has been issued at the address of petitioner i.e Shaheed Bhagat Singh Nagar (Nawan Shahar), Punjab. The petitioner is on bail in case registered against him and there is no purpose of keeping passport in custody. The same is ordered to be returned to him after retaining its copy in the police record, with liberty to the police to intimate the Aviation Authorities not to allow the petitioner to fly out of country without permission of the Court. Even otherwise, the petitioner will seek due permission before leaving the country.

The petition is allowed in the above terms.

(SURINDER GUPTA)
JUDGE

December 11, 2019
Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***