

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

115

CRM-M-53133-2019(O&M)

Date of decision : 12.12.2019

DILHARJIT SINGH AND ANR

.....Petitioners

versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Bhardwaj, Advocate
for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

Through this petition filed under Section 482 of the Code of Criminal Procedure, petitioners pray for issuance of directions to the State of Punjab/the Court to order release of passports of the petitioners and the amount of Rs.1,10,000/-.

Learned counsel for the petitioners submits that pursuant to the directions issued by this Court in the order dated 30.04.2018, while granting interim protection, petitioners had surrendered their passports before the Investigating Officer and deposited Rs.1,10,000/- in the Court of Illaqa Magistrate. Order dated 30.04.2018 is extracted as under:-

“Learned counsel for the petitioners states that the petitioners are ready to deposit the balance amount of Rs.1,10,000/-

Notice of motion for 5.7.2018.

Let the amount of Rs.1,10,000/- be deposited in the Court of Illaqa Magistrate within five days.

The petitioners are directed to join the investigation by contacting the Investigating Officer within five days from today and render all sort of co-operation. The petitioners have to surrender their passport before the Investigating Officer, if they have got ones, otherwise to furnish affidavits in that regard if in the meanwhile, they are arrested, they be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned counsel for the petitioners further informs the court that the offence already stands compounded and, therefore, the case is no longer pending against the petitioners. He submits that the surrendered passports and the amount deposited be got released.

Keeping in view the facts of the case, this court is of the considered opinion that the learned Magistrate before whom the case was pending, would be in a better position to pass appropriate orders.

Keeping in view the aforesaid facts, the present petition is disposed of by directing the petitioners to move appropriate applications before the Judicial Magistrate Ist Class, who is requested to dispose of the same in accordance with law, within 15 days.

December 12, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No