

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

CRM-M-51780-2019

Date of decision: February 26, 2020

Paramjit Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

None for the complainant.

MANJARI NEHRU KAUL, J.(ORAL)

Prayer in this petition is to quash the order dated 07.11.2019 passed by learned Judicial Magistrate Ist Class, Garhshankar, whereby, the prayer of the petitioners to visit America and Canada has been rejected in FIR No.42 dated 10.05.2014 under Sections 498-A, 376-A, 354, 506 of the Indian Penal Code registered at Police Station Mahilpur, District Hoshiarpur.

A prayer has been made by learned counsel for the petitioners for granting permission to the petitioners to travel America and Canada where their children are reported to be residing.

It has been submitted that petitioner No.1-Paramjit Singh is a government employee and has another four years of service remaining. It has also been submitted that besides this, he has substantial movable and immovable properties in Punjab. Hence, there is no likelihood of the petitioners absconding. This Court has also been apprised by the learned State counsel that in FIR No.42 dated 10.05.2014 under Sections 498-A, 376-A, 354, 506 of the Indian Penal Code, cancellation report was prepared

and filed before the Illaqa Magistrate. However, later on, the complainant appeared and she filed a protest petition before the Court below.

Learned State counsel has not been able to controvert the submissions of the learned counsel for the petitioner. However, it has been submitted that in case, the petitioners are permitted to travel abroad, they should be put to some adequate bank guarantee and surety.

I have heard learned counsel for the parties and gone through the record.

In view of above facts and circumstances of the case, the instant petition is disposed off, and the order dated 07.11.2019 passed by learned Judicial Magistrate Ist Class, Garhshankar, is hereby quashed. The petitioners are permitted to travel America and Canada for a period of 60 days from the date they shall furnish a bank guarantee in the sum of Rs.12.00 lac along with one surety of the like amount.

26.02.2020*m. sharma***(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No