

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

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**CRM-M-34285-2021(O&M)
Decided on : 23.08.2021**

MANDEEP KAUR

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Kuljit Singh Bal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 CrPC seeking direction to respondent Nos.2 to 5 to take into custody the passport of respondent No.6 and deposit the same before the trial Court.

Learned counsel submits that there is every likelihood of respondent No.2 leaving the country during the pendency of the criminal proceedings which stand initiated against him pursuant to the registration of the FIR No.107 dated 07.07.2019 under Section 325 and 498-A of the IPC (added later on) registered at Police Station Kamboj, Amritsar. Still further, submits that the petitioner be directed not to leave the country without the permission of the Court.

Heard.

The learned counsel has failed to satisfy this Court qua the merits of his prayer. It is a matter of record that while granting interim bail to the respondent No.6 vide order dated 19.07.2021 it was specifically directed that it would be subject to the conditions of Section 438(2) CrPC.

Section 438(2) Cr.P.C., categorically provides for the following:-

“When the High Court or the Court of Session makes a direction under sub- section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 437, as if the bail were granted under that section.”*

In view of the above, this Court would loathe to invoke its inherent jurisdiction under Section 482 Cr.P.C., as all conditions including seeking permission of the trial Court before going abroad stand imposed upon respondent No.6.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 23, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>