

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

CRM-M-20795-2022

Date of Decision: 13.5.2022

Surjeet Kaur

..... Petitioner

Versus

The State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashish Aggarwal, Advocate, for
Mr. Kartik Gupta, Advocate, for the petitioner.

Rajesh Bhardwaj, J.

The petitioner has approached this Court praying for quashing of order dated 10.5.2022 passed by the learned Judicial Magistrate Ist Class, Amritsar in FIR No.201, dated 21.12.2021, registered under Sections 406 and 498-A IPC, Police Station Kathu Nangal, District Amritsar Rural, whereby, the passport of respondent No.2, who is USA Citizen, has been ordered to released.

It has been contended by learned counsel for the petitioner that respondent No.2 is the father-in-law of the petitioner, who is USA citizen and settled there from the last 25 years. It has been submitted that respondent No.2 is one of the accused in the above mentioned FIR and he has not been granted interim protection from arrest. He also submits that the petitioner tried to escape from India during the pendency of the bail application however, he was arrested by the Police from Indira Gandhi International Airport, New Delhi, thus, he was restrained from leaving the country. He submits that the learned court below has granted permission for releasing his passport, is totally by ignoring the facts and circumstances of the case, thus, deserves to be set aside.

Heard.

A perusal of the impugned order shows that there were two applications filed. One application filed by respondent No.2 for issuing direction to the concerned SHO for releasing his passport and to grant him permission to visit USA for medical treatment and second application filed by the complainant for issuing direction to the accused for surrendering all dowry articles and furnishing bank guarantee. The case in hand arises out of the matrimonial dispute. Respondent No.2 is the father-in-law of the petitioner-complainant and there is nothing on record depicting some adverse antecedents against respondent No.2. Learned Magistrate has taken into consideration the attending facts and circumstance and has granted permission to respondent No.2 by imposing necessary conditions. On the perusal of the same and the purpose for which respondent No.2 seeks permission to go abroad, the Court finds no infirmity in the same. Respondent No.2 is bound by the terms and conditions imposed by the Court. The petition being devoid of any merit is hereby dismissed.

13.5.2022
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No