

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(130)

CRM-M-25255-2022

Date of Decision: 02.06.2022

Kulwinder Kaur Chandi

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Ms. G.K. Mann, Sr. Advocate with
Mr. Gursharan Singh, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

Present petition has been filed under section 482 Cr.P.C praying for granting permission to the petitioner to go abroad in case FIR No.0042 dated 27.2.2022 registered under sections 406, 498-A IPC at Police Station, Shahkot, District Jalandhar Rural.

Learned senior counsel for the petitioner, at the outset, submits that she has erroneously not made a prayer for impugning the order dated 25.5.2022 passed by learned JMIC, Nakodar whereby application of the petitioner for granting permission to go abroad was declined. She submits that inadvertently this order has not been challenged. On her oral request she is allowed to impugn the aforesaid order.

After hearing counsel for the petitioner and perusing the record, it is apparent that the application filed by the petitioner was declined for the reason that no specific period was mentioned in the application for which she wanted to go to Germany. Furthermore, no document had been placed on record by the petitioner satisfying the court regarding her ailment of mental disorder. Besides this, the order would show that the learned court below in all its fairness had directed the IO to submit the status report

in the matter within a period of 20 days. However, the petitioner has approached this court prior to that period.

Notice of motion.

On the asking of the Court, Ms. Sakshi Bakshi, A.A.G., Punjab accepts notice on behalf of respondent-State.

In view of the attending circumstances, this court finds it appropriate to set aside the order dated 25.5.2022 passed by learned JMIC, Nakodar. Petitioner is directed to approach the learned court below again by way of filing appropriate application along with necessary documents substantiating her claim for going abroad for the treatment of her ailment as contended. In case the petitioner files an appropriate application along with the necessary documents, learned court below is requested to dispose of the same expeditiously as in accordance with law and preferably within a period of one month from the date of filing of the same.

Petition is disposed of in the aforesaid terms.

(RAJESH BHARDWAJ)
JUDGE

02.06.2022

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