

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-21127-2022(O&M)
Date of Decision: 12.09.2022

Jagir Kaur

....Petitioner

VERSUS

State of Punjab & ors.

....Respondents

CORAM:- HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. B.S. Bhalla, Advocate,
for the petitioner.

Mr. Saurav Verma, Addl.A.G., Punjab.

VINOD S. BHARDWAJ (Oral)

This writ petition has been filed seeking invocation of the writ jurisdiction of this Court for directing the official respondents to keep Manpreet Kaur Gill, the mentally advanced daughter of respondents No.4 and 5 in some State Rehabilitation Home.

However, during the pendency of the present proceedings respondent No.5 (Jasveer Kaur Gill) i.e. mother of Manpreet Kaur Gill had expressed her willingness to take her daughter along with her to Canada.

Vide order dated 25.11.2021, this Court had directed respondent No.5 to show her bona fide by surrendering her passport in the Court of Chief Judicial Magistrate, Moga, till completion of the documentation pertaining to the intellectually challenged Manpreet Kaur Gill and to also create a security in a sum of Rs.2.00 lacs with the Chief Judicial Magistrate, Moga, till the decision of the present writ petition and

subject to complying with the conditions to the satisfaction of the Chief Judicial Magistrate, Moga.

Various orders were passed in the interregnum to facilitate documentation for obtaining travel documents of Manpreet Kaur Gill.

Today, on resumed hearing, it has been apprised by the counsel appearing on behalf of respondent No.5 that visa has already been granted in favour of Manpreet Kaur Gill by the Canadian Embassy on 10.08.2022, which is valid upto 17.06.2023. He further contends that it would now be essential that passport of respondent No.5, which has been deposited with the Court of Chief Judicial Magistrate, Moga, be released to her so that she may travel along with Manpreet Kaur Gill to Canada on 05.10.2022. He further submits that the tickets of the air travel have also been booked.

The aforesaid averments are not disputed or controverted by the learned counsel appearing on behalf of the petitioner.

In view of above, the present petition is disposed of as having been satisfied at this stage. The Chief Judicial Magistrate, Moga, is directed to release the passport of respondent No.5-Jasveer Kaur Gill bearing No.M3229795. The amount of Rs.2.00 lac that has been deposited by respondent No.5 to show her bona fide would be transferred in the account number so given by Jasveer Kaur Gill after 05.10.2022 and upon being satisfied that Manpreet Kaur Gill has left along with respondent No.5 for Canada within a period of 15 days from 05.10.2022. The account details along with the IFSC Code and other necessary particulars shall be furnished by respondent No.5-Jasveer Kaur Gill with the Court of Chief Judicial Magistrate, Moga for transfer of the aforesaid amount as per the directions aforesaid. No further directions are required.

Accordingly, the present petition stands disposed of.

12.09.2022
monika

(VINOD S. BHARDWAJ)
JUDGE

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