

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-5287-2023

Date of Decision:-03.03.2023

Parvinder Kumar.

.....Petitioner.

Versus

State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Anurag Chopra, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,
Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the present petition under Section 482 Cr.PC is for quashing of the order dated 23.01.2023 (Annexure P-1) whereby the application of the petitioner for the release of the passport has been dismissed by the JMIC Dabwali.

On 03.02.2023 the following order was passed:-

“ The prayer in the present petition under Section 482 Cr.P.C. is for the quashing of the order dated 23.01.2023 (Annexure P-1) whereby the application of the petitioner for the release of the passport has been dismissed by the JMIC, Dabwali.

It has been brought to the notice of the Court that because the proceedings have been stayed in FIR No. 165 dated 13.05.2021 under Sections 379/430 IPC and Sections 3, 4 of the Prevention of Damage to Public Property Act, 1984 at Police Station Sadar Dabwali (Sirsa) vide order dated 14.12.202, the application of the petitioner for the release of the passport for renewal purposes has

been dismissed by the JMIC, Dabwali on 23.01.2023, which has necessitated the filing of the present petition.

Since the date for renewal of the same is today i.e. 03.02.2023 at 2.00 p.m., the concerned Court of the Magistrate, Dabwali, is directed to release the passport forthwith.

It is made clear that pursuant to the renewal of the passport, the petitioner shall deposit the same with the same Court and seek permission to go abroad, if so desired.

Adjourned to 20.02.2023.

A copy of this order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary of this Court.”

Thereafter the matter was adjourned to 20.02.2023 on which date the following order was passed:-

“ *The Counsel for the petitioner states that the passport has not yet been renewed.*

List on 03.03.2023.

To be shown in the urgent list.

Today the court has been informed that the passport has been renewed and has been submitted back to the Trial Court in deference to the aforementioned orders. However, a prayer has been made that since the petitioner wishes to go abroad he has sought permission from the Trial Court in that regard by moving an application dated 01.03.2023.

In view of the fact that the petitioner has to travel abroad from 23.03.2023 till 31.03.2023 and he is required to obtain a Visa in that regard, the Trial Court shall decide the application within the next 02 working days and while deciding the said application shall not be bound by the fact that the proceedings in FIR No.165 dated 13.05.2021 under Sections 379/430 IPC and Sections 3, 4 of Prevention of Damage to Public Property, Act, 1984 registered with Police Station Sadar Dabwali (Sirsa) stand stayed by this Court.

With aforesaid observations, the present petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 03, 2023
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>