

112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6296-2023
Decided on : 07.02.2023

Gurjinder Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sandeep Kumar Bokolia, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The instant petition has been filed under Section 482 Cr.PC for setting aside of order dated 23.05.2022 (Annexure P-1) passed by Addl. Sessions Judge, Moga vide which revision petition filed by the petitioner to impugn order dated 06.04.2022 (Annexure P-2) passed by JMIC, Moga, was dismissed.

Learned counsel for the petitioner contends that though petitioner is a native of District Moga, however, he has been permanently residing at Taguig City, Philippines where he is running a successful business. Learned counsel submits that on account of registration of FIR No.40 dated 24.03.2010 under Section 12 of Passport Act at Police Station Sadar Moga, he had not been able to travel abroad and in particular to Philippines on account of he having surrendered his passport to the investigating agency during the investigation of the aforementioned case. Resultantly, the petitioner had been incurring heavy losses in his business due to his long absence. It was in this background, he had filed an

application seeking permission to go Philippines for a period of three months to handle his business and also to solemnize his marriage with a girl, who is living in Philippines.

Heard learned counsel and perused the relevant material available on record including the impugned orders.

The petitioner is facing trial for an offence under Section 12 of the Passport Act. As per the allegations levelled against the petitioner, two passports bearing No.T-75759 renewed No.E-5384672 and another bearing No.E-3031946 were obtained by the petitioner. Since the passport, which the petitioner is seeking to be released is part of the judicial record and is a material piece of evidence, the same cannot be handed over to the petitioner. Further, the Revisional Court has also rightly observed that if the passport is released to petitioner, the possibility of his fleeing away can't be ruled out.

This Court, therefore, does not find any error in the impugned orders, which would warrant the interference of this Court. The present petition stands dismissed, accordingly.

(MANJARI NEHRU KAUL)
JUDGE

07.02.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No