

Kapila Sherawat

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Punchhi, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. AG, Haryana.

Mr. Rajat Mor, Advocate for respondent No.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
323	13.04.2017	Sadar Hissar	13-D of Prevention of Corruption Act and Sections 120B, 166, 175, 177, 406, 420, 218, 477, 477A & 34 IPC

1. Seeking setting aside of the order dated 14.03.2023 (Annexure P-5) passed by the Additional Sessions Judge, Hissar, vide which the application of the petitioner for permission to go abroad has been declined in case No.PC 5 of 2022 in the above captioned FIR, the petitioner has come up before this Court under Section 482 CrPC.
2. Petitioner’s counsel submits that the purpose for which the present petition was filed i.e. to attend her niece at USA, has already been elapsed because of the intervention changes during pendency of the present petition. However, counsel further submits that petitioner’s niece still needs her and for which the petitioner has to visit USA. Therefore, counsel seeks permission to withdraw the present petition with liberty to file a fresh application on the new grounds and with the

clarification that trial Court shall decide the said application in a time bound manner without being influenced by the decision of the application which was previously dismissed.

3. Given above, the petitioner is permitted to file a fresh application before the trial Court by mentioning the reasons for which she wants to travel abroad. In the said application, the petitioner shall also mention addresses where she would stay in USA and mobile number on which she would use whatsapp and activate international roaming pack (valid till the date of his return). The petitioner shall also mention the date of return to India, not beyond six months.

4. Petition is disposed of as withdrawn in the terms mentioned above. The trial Court is directed to decide the above said application within two months from the date of filing of the application, without being influenced by the earlier orders passed by this Court or the trial Court. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

10.10.2023
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.