

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41076-2022 (O & M)

Date of decision: 02.02.2023

Gurpreet Singh

... Petitioner

V/s

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sanjeev Kumar, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Namit Khurana, Advocate, for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for the quashing/setting aside/modifying the order dated 06.08.2022 (Annexure P-4) passed by the Additional Sessions Judge, Ambala and the order dated 04.07.2022 (Annexure P-3) passed by the Chief Judicial Magistrate, Ambala in Fir No.75 dated 10.06.2015 under Sections 148, 149, 341, 323, 324, 356, 379, 427, 325 IPC and Sections 25, 54 and 59 of the Arms Act at Police Station Sadar, Jagadhri.

2. The brief facts of the case are that the FIR in question came to be registered on 10.06.2015. The petitioner returned from abroad and sought the concession of anticipatory bail which was granted on 02.03.2022. However, at that time, he was asked to deposit his passport by the Court of Additional Sessions Judge, Ambala.

Pursuant thereto, the petitioner moved an application before the

The Court of the Chief Judicial Magistrate, Ambala, however, dismissed the application vide order dated 04.07.2022 (Annexure P-3) holding that since the passport had been ordered to be surrendered by the Court of the Additional Sessions Judge, Ambala, an application for possession of the same for renewal ought to be made before the same Court.

3. Thereafter, an application was moved by the petitioner before the Additional Sessions Judge, Ambala, for releasing his passport for renewal and for permission to go abroad for his honeymoon. The said application was partly allowed by the Court of the Additional Sessions Judge, Ambala vide order dated 06.08.2022 (Annexure P-4) to the extent that the passport was released for renewal purposes only with a further direction to return the same to the Court. For the purposes of seeking permission to go abroad, the petitioner shall move an appropriate application before the Trial Court.

4. The aforementioned order came to be impugned before this Court in the present petition.

5. The learned counsel for the petitioner submits that he wishes to withdraw the present petition.

6. The learned counsel for respondent No.2-complainant, however, suggests that despite the fact that the passport had been released only for renewal purposes, the petitioner has gone back to Portugal.

7. In view of the aforementioned facts, nothing survives in the present petition and the same is ordered to be disposed of as such. However, the State is directed to make the efforts to proceed against the petitioner so

as to declare him a proclaimed person keeping in view the facts as enumerated hereinabove showing the conduct of the petitioner.

February 02, 2023
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No