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130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10736-2024 (O&M)
Date of Decision: 02.09.2024

VISHNU YADAV

.....PETITIONER

Vs.

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Sourabh Chauhan, Advocate,
for the petitioner.

Mr. Amrik Singh Narwal, D.A.G. Haryana.

HARPREET KAUR JEEWAN J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing the impugned order dated 15.01.2024 (Annexure P-4), passed by the learned Additional Sessions Judge, Narnaul, whereby the application filed by the petitioner for renewal of his passport No. K0116667, issued by the Regional Passport Officer, Delhi, valid from 19.09.2011 to 18.09.2021 has been declined, in case FIR No. 154, dated 14.05.2022, under Sections 328, 376 and 506 IPC read with Section 120-B thereof and Sections 3, 4, 5 and 6 of The Information and Technology, Act, 2000, Police Station City, District Mohindergarh.

2. Learned counsel for the petitioner submits that the petitioner does not want to travel abroad and further undertakes that he would take prior permission of the trial Court before leaving the country during pendency of trial.

It is further pointed out that another case has also been registered against the petitioner, i.e. FIR No. 108 of 2021, under Sections



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148, 149, 342, 323, 452 and 506 of the IPC, at Police Station Sadar Mahendragarh and the petitioner has been allowed to get his passport renewed by the Judicial Magistrate Ist Class, Mohindergarh, vide order dated 07.11.2023 (Annexure P-3).

3. Learned counsel for the State has not raised any objection.
4. A citizen cannot be deprived of renewal of his passport only on the ground of pendency of a criminal trial, however, restriction can be imposed to ensure his presence during trial. Keeping in view the facts and circumstances of this case, the present petition is allowed. The impugned order dated 15.01.2024 (Annexure P-4), passed by the learned Additional Sessions Judge, Narnaul, is set aside. The petitioner is directed to get his passport renewed, however, subject to the condition that he would not visit abroad without the prior permission of the trial Court during the pendency of the proceedings in FIR No. 154, dated, 14.05.2022, under Sections 328, 376 and 506 IPC read with Section 120-B thereof and Sections 3, 4, 5 and 6 of The Information and Technology, Act, 2000. The petitioner would submit a duly sworn affidavit to this effect before the trial Court before getting his passport renewed.
5. A copy of this order be sent to the learned trial Court.
6. Pending miscellaneous application(s), if any, shall also stand disposed of.

September 02, 2024
nitin

Whether Speaking Yes

Whether reportable No

(HARPREET KAUR JEEWAN)

JUDGE