



CRM-M No. 48117 of 2024

109

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 48117 of 2024

Date of Decision: 04.10.2024

Sandeep

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sankalp Gehlawat, Advocate
for the petitioner.

Ms. Harpreet Kaur, A.A.G., Haryana.

ANOOP CHITKARA, J.

Apprehending that respondents No.2 and 3 in connivance with his estranged wife are likely to take his child to United Kingdom, father of the child has come up before this Court under Section 528 BNSS directing the forfeiture of passport of respondents No.2 and 3.

I have heard counsel for the parties to ascertain whether the petition is worth issuing notice or not and have also gone through the record and its analysis would lead to the following outcome.

Petitioner refers to a complaint which led to registration of FIR in 2021. Counsel for the petitioner referred to an undertaking by way of affidavit given by respondents No.2 and 3 in which they have stated on affidavit that in case Latika -wife of petitioner and mother of the child wants to shift to United Kingdom, then they would be willing to shift with her daughter to take care of both the children. In para no.4, petitioner's apprehension that respondents No.2 and 3 are likely to shift the petitioner's minor son to United Kingdom is based on the threat apprehension, however no reason has been mentioned for such apprehension and it is only presumptive. Counsel for the petitioner submits that the contents of the affidavit clearly points out respondents intention to move to United Kindgom along with child and as such he seeks confiscation of their passports.

Given above, there is no reason for this Court to interfere based on such apprehensions and uncorroborated unsubstantiated whims and fanciful apprehension.



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Petition stands dismissed. All pending applications, if any also stands disposed.

(ANOOP CHITKARA)
JUDGE

04.10.2024
Jyoti Sharma

Whether speaking/reasoned:	Yes
Whether reportable:	No.