

227

CRM-M-63427-2023
Decided on: 15.01.2024

Vikas Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Suvir Sidhu, Advocate
for the petitioner.

Mr. Ravinder Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
10	21.06.2019	Vigilance Bureau, Flying Squad at Mohali	409, 420, 465, 467, 468, 471, 120-B IPC and Sections 7/13(1)(A) r/w 13(2) of Prevention of Corruption Act 1988

1. Seeking release of passport as the same has been impounded by Vigilance Bureau during investigation in relation to the above captioned FIR, the petitioner has come up before this Court by filing the present petition under Section 482 CrPC.

2. Petitioner's counsel submits that being incarcerated in the above mentioned FIR, petitioner filed regular bail and he was granted interim bail vide order dated 21.07.2020 passed in CRM-M-10265-2020 and this Court made the said order absolute vide order dated 05.12.2023. Counsel for the petitioner further submits that petitioner filed similar applications twice before this court for seeking permission to travel abroad, which were allowed by this Court vide orders dated 01.06.2022/01.06.2023 passed in CRM-15926-2022 and CRM-22695-2023 respectively. On 01.06.2023, while giving permission to visit abroad, Co-ordinate Bench of this Court had directed that on his return, the petitioner shall surrender his passport to the competent Court. Now petitioner's passport is in custody of

CRM-M-63427-2023

trial Court in SAS Nagar, Mohali. It is further submitted that petitioner’s daughter wants to take admission for her undergraduate studies in any university across the United States of America and United Kingdom. For this purpose, she needs to apply for renewal of her passport, which mandates the passport of the parents as well. Therefore, the petitioner is seeking release of her passport. Since the order to surrender passport was passed by this Court, because of that reason, petitioner approached this Court directly under Section 482 CrPC.

3. Short affidavit dated 15.01.2024 on behalf of the State has been filed and the same is taken on record. State counsel while making reference to the short affidavit, opposes the release of passport.
4. On this, counsel for the petitioner submits that the petitioner is seeking only release of his passport and he is not going abroad. He further submits that in case, the petitioner plans to go abroad, he will seek prior permission of this Court.
5. Given above, petitioner is directed to file an application for release of his passport before the trial Court and the trial Court shall release his passport within one week from the date of filing of the application against proper receipt and by keeping page to page photocopy of passport. Petitioner shall surrender back the passport before the trial Court after the renewal of his daughter’s passport.
6. *There would be no need for a certified copy of this order and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*
7. Petition is allowed in the terms mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

15.01.2024

anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.