

**In the court of Ms. Mehak Sabharwal, Civil Judge Junior Division, Ludhiana.**

Satbir Singh vs Manpreet Kaur

Present: Complainant with counsel Sh. S.K Bawa, Adv.  
Accused Mewa Singh, Amarjit Kaur and Beant Singh on bail with counsel.

Heard on application of complainant/applicant for giving direction to accused Mewa Singh, Amarjit Kaur and Beant Singh to produce Visa along with copy of passport as well as passing of an order directing the accused not to leave the country without seeking prior permission of the court. In application he has stated that accused were intentionally not appearing before this court despite having knowledge of proceedings and they appeared on publication apprehending that they may not be declared proclaimed offender. He stated that accused are permanent resident of Canada and they are fleeing from process of justice. He stated that the purpose in this present complaint shall be frustrated as accused cannot come from Canada and serve their conviction and sentence on final decision of the complaint. He further stated that accused have come to dispose of their properties and flee from India and this will cause miscarriage of justice. Further he has stated that even with the bail application accused have not annexed copy of their passport or visa. Therefore, he stated that accused be directed to produce copies of their passport and the same may be impounded and accused be refrained from leaving the country without prior permission of the court.

Notice of the above application was given to the accused. They have stated that the application of complainant/applicant is not maintainable and is filed to harass the accused unnecessarily. They further stated that accused no. 3 to 5 are residents of Canada and earning their livelihood there and all are residents of Canada. Thus they stated that this application of applicant needs to be dismissed.

Heard and considered both the counsels for contesting parties. In the application the applicant/complainant has clearly stated that all these three accused Mewa Singh, Amarjit Kaur and Beant Singh are permanent resident of Canada. He has also stated that they have not annexed copies of their passport with the bail application. Perusal of file shows that simultaneously the application moved by the accused for

seeking permanent exemption from appearing in this criminal complaint has also being filed. It has been admitted by the accused that they are residing in Canada and earning there livelihood there. Simultaneously the application for permanent exemption is also pending of all these three accused and they are seeking permission to leave the country. Thus keeping in view the above said circumstances as the application of accused for seeking the exemption has also been allowed simultaneously vide even order of similar date (for a period of 3 months). So therefore it is necessary to bring on record the copy of passport and all these three accused I.e Mewa Singh, Amarjit Kaur and Beant Singh along with copy of their visa and also their identity proofs I.e in India as well as in Canada. They also directed to furnish their correct address as stated in permanent resident in Canada. So, therefore all these accused are directed to furnish an affidavit of their last residing address where they have been residing in Canada along with address where they shall be further in Canada. Their address at this point in India should also be furnished. The affidavit of the same be furnished with in a period of 15 days form today. The compliance as per the said order be done and for further proceedings to come up on 01.07.15.

Mehak Sabharwal

JMIC/Ldh.05.06.15