

RAMESH DHAWAN Versus STATE OF HP

**CRMP-3909 of 2026 in
CRMPM - 2729 of 2022**

17.09.2026 Present: Mr. Ajay Kochhar, Senior Advocate with Mr. Anubhav Chopra, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Rajan Kahol, Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondents-State.

By way of instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, permission has been sought by the applicant/petitioner to visit New Zealand w.e.f. 15.09.2026 to 31.10.2026 during the pendency of the criminal case pending adjudication before the learned Special Judge, Nalagarh.

Pursuant to the direction issued by this Court, learned Additional Advocate General has placed on record instructions dated 16.09.2026 issued under the signatures of the Superintendent of Police, Police District Baddi, Himachal Pradesh, thereby seeking dismissal of the application on the ground that the applicant/petitioner is accused of heinous crime punishable under Section 302 read with Section 34 IPC, who, otherwise, in the event of being permitted to go abroad, may flee from justice.

It has been averred in the application that the applicant/petitioner, who was behind bars for more than five years, came to be enlarged on bail vide order dated 26.06.2023

and during the aforesaid period, no adverse report has ever been lodged against him. It is submitted that since the applicant/petitioner has adhered to all the conditions imposed by this Court while enlarging him on bail vide order dated 26.06.2023, coupled with the fact that he is required to visit New Zealand for making arrangements for the marriage of his daughter, aged 36 years, who is a divorcee and has received a marriage proposal from a boy settled in New Zealand, he intends to visit New Zealand from 15.09.2026 to 31.10.2026.

To substantiate his aforesaid claim, a letter issued by the daughter of the applicant/petitioner has been placed on record as Annexure A-4. Daughter of the petitioner is residing at 19 Ingoldsby Street, Sydenham, Christchurch, New Zealand, and is gainfully employed and in the event of permission being granted, the applicant/petitioner shall stay with his daughter at the given address.

Mr. Ajay Kochhar, learned Senior Counsel, states that the petitioner is travelling alone and his entire family, including his co-accused son, resides in Baddi. He further states that petitioner also owns landed and immovable property at Baddi, the details whereof are given in the copy of Jamabandi placed on record (available at page No. 42 of the paper book).

Having heard learned counsel for the parties and perused the material available on record, this Court finds that applicant/petitioner, who remained behind bars for more than five years, was enlarged on bail on 26.06.2023. No material

worth credence has been placed on record by the respondents to demonstrate that petitioner, while on bail, indulged in any illegal activity or ever attempted to tamper with the prosecution evidence. It is also not in dispute that the petitioner owns landed property in Baddi, which fact stands established with the placement of Jamabandi as well as other documents relating to the ownership of a flat at New Chandigarh.

Since the entire family of the applicant/petitioner, including his co-accused son Vinod Dhawan, shall stay back in India during the visit of the applicant/petitioner to New Zealand, coupled with the fact that he has landed property in Baddi, this Court sees no impediment in accepting the prayer made in the application and accordingly, the application is allowed. Applicant/petitioner is permitted to travel to New Zealand w.e.f. 22.09.2026 to 31.10.2026, subject to the condition that he shall furnish personal bonds to the tune of Rs. 5,00,000/- with one surety in the like amount to the satisfaction of the learned trial Court. Needless to say, after his arrival on 31.10.2026, applicant/petitioner shall report to the Police Station concerned within a period of three days, failing which respondent-State shall be at liberty to take appropriate steps in accordance with law. Application stands disposed of.

**(Sandeep Sharma),
Judge**

September 17, 2026
(Sunil)