



269

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-48552-2026
DECIDED ON: 03.09.2026**

VIKAS SHARMA**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Suvir Sidhu, Advocate, and
Mr. Ashutosh Gupta, Advocate,
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 482 of the Code of Criminal Procedure, 1973), seeking modification of a condition imposed vide order dated 17.08.2026 (Annexure P-12) passed by learned Additional Sessions Judge, Mohali, arising out of FIR No. 10 dated 21.06.2019, registered under Sections 409, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 [Sections 316(5), 318(4), 336(2), 338, 336(3) and 340(2) of Bharatiya Nyaya Sanhita, 2023], and Sections 7 and 13(1)(A), read with Section 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Flying Squad, Mohali, District Mohali.



2. Learned counsel for the petitioner submits that vide order dated 17.08.2026 (Annexure P-12), passed by learned Additional Sessions Judge, Mohali, application filed by the petitioner seeking permission to travel abroad was allowed, whereby petitioner was granted permission to visit United Kingdom (UK) from 19.08.2026 to 10.01.2027, subject to the following conditions:-

“1. He shall furnish personal bonds to the tune of Rs. One crore with one surety or FDR or bank guarantee, whichever is available, in the like amount before this court.

2. He is directed to furnish his correct and complete address of his stay in United Kingdom (UK) before this court.

3. He is also directed to supply his operational mobile number which shall be operational in United Kingdom (UK) and he is also directed to supply his mail I.D. if any, to this court.

4. He is also directed to supply the photostat attested copy of the complete passport having visa of United Kingdom (UK) to this court.

5. He will not change his counsel without permission of the Court.

6. The applicant shall furnish the list of immovable assets/ properties, if any, on an affidavit in the court.

7. The applicant shall return from United Kingdom (UK) on or before 10.01.2027 and mark his presence before the court.”



3. Learned counsel for the petitioner submits that, while satisfying itself with regard to the conduct of the petitioner, learned trial Court recorded a finding that, on an earlier occasion also, petitioner had travelled abroad only after obtaining permission from Hon'ble High Court and had thereafter returned to India within the stipulated period.

4. Learned counsel further submits that Condition No.1, [reproduced here above and incorporated in paragraph No.4 of the order dated 17.08.2026 (Annexure P-12)], cannot be complied with by the petitioner in its present form, as he has been directed to furnish a personal bond in the sum of Rs.1 crore with one surety, or an FDR/bank guarantee of an equivalent amount. It is submitted that the amount so stipulated is excessively onerous, particularly keeping in view the short period for which permission to travel abroad has been granted. Therefore, the said condition cannot practically be complied with, unless the amount stipulated therein is substantially reduced.

5. *Per contra*, learned State counsel submits that Condition No.1 imposed by learned trial Court is neither unreasonable nor onerous; rather, the same has been imposed to ensure petitioner's return to India and his availability for smooth conduct of the trial and for enabling him to join the proceedings before the trial Court at the earliest. Accordingly, dismissal of the present petition is prayed for.

6. This Court has heard learned counsel for the parties and has also gone through the record available before it.



7. Undoubtedly, petitioner had travelled abroad on an earlier occasion as well; however, the said concession was never misused by him. His personal appearance had also been exempted by this Court on an earlier occasion. At the same time, the amount of Rs.1 crore stipulated towards the personal bond with surety/FDR/bank guarantee is, in the considered view of this Court, rather onerous and, therefore, warrants suitable reduction.

8. This Court has also considered the overall circumstances of the case, including the defence raised by the petitioner that he was not a Director of the company at the time when the alleged fraud was committed, as he had already resigned from the company, vide e-mail dated 18.08.2016 (Annexure P-3), on account of his deteriorating health. It is also not the case of the respondent-State that petitioner was ever an authorised signatory or had any legal authority under the Joint Venture Agreement dated 04.05.2009.

9. Be that as it may, having regard to the previous conduct of the petitioner, which has remained unblemished as his earlier travel abroad is concerned, and taking into consideration the submissions advanced by learned counsel for the petitioner, this Court finds sufficient grounds to suitably relax Condition No.1 imposed by learned trial Court.

10. Accordingly, in view of the circumstances detailed and discussed here above, Condition No.1 imposed by learned trial Court vide order dated 17.08.2026 (Annexure P-12) is modified to the extent



that the amount of **Rs.1 crore** stipulated therein, shall be read as **Rs.25 lakhs**. Consequently, Condition No.1 shall now be read as under:-

*“1. He shall furnish personal bonds to the tune of **Rs. 25 lacs** with one surety or FDR or bank guarantee, whichever is available, in the like amount before this court.”*

11. Needless to say, all other terms and conditions incorporated in the impugned order dated 17.08.2026 (Annexure P-12) shall remain the same and continue to operate as such.

12. With the observations made here above, present petition stands disposed of.

03.09.2026
Lavisha/reena

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned ✓Yes/~~No~~
Whether reportable ✓Yes/~~No~~