

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

**CRM-M No.34139 of 2013 (O&M)
Decided on: 11.05.2015**

Rakesh Chopra

.... Petitioner

Vs.

State of Punjab

.... Respondent

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. J.S.Bedi, Sr. Advocate with
Mr. Harpreet Multani, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab.

Mahesh Grover, J.

The petitioner, in this petition, even though has made a prayer for quashing of FIR but had confined his prayer to a limited extent of waiving a condition imposed by the Special Court restricting his travel abroad without its prior permission.

It was contended by learned counsel for the petitioner that the FIR was registered in the year 2008 and even after lapse of 7 years, the challan has yet to be submitted and existence of this condition of seeking prior permission each time the petitioner went abroad has become unduly oppressive to his liberty considering the fact that the petitioner being a Canadian citizen is required to travel abroad frequently.

This Court, noticing the concern of the petitioner had passed an order dated 24.04.2015 expressing a prima facie opinion that the interest of the prosecution can be secured if the petitioner deposits original document of his immoveable property along with an undertaking that same may be forfeited in case of default in violating

the condition of bail and the learned counsel for the petitioner had sought time to seek instructions in this regard.

It is now contended by learned counsel for the petitioner that the petitioner has no objection if the aforesaid course is adopted subject to the condition that he would submit an intimation to the Special Court instead of seeking prior permission.

Prayer of the petitioner is accepted with following conditions:

- (i) Instead of seeking prior permission the petitioner shall give the particulars of his intended visit abroad to the Court along with the date of return.
- (ii) He shall deposit the original document of his immovable property with an undertaking that the property may be forfeited in case of default in associating himself the prosecution/trial.
- (iii) The Special Court shall be at liberty to impose any condition that it may deem fit including securing local sureties in addition to the above noted conditions.

The present petition stands disposed of.

11.05.2015
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(Mahesh Grover)
Judge