

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-18172 of 2016

Date of Decision: 02.06.2016

Joga Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.S.Sandhu, Advocate
for the petitioner.

Mr. K.S.Aulakh, AAG, Punjab.

ANITA CHAUDHRY, J(ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking permission to go abroad during the pendency of the quashing petition.

The summoned files have been received. The petitioner was declared a proclaimed offender and was abroad. He had returned and was asked to appear before the Trial Court.

Counsel for the petitioner states that the petitioner had appeared before the trial Court and had been admitted to interim bail. The petitioner was also directed to surrender his passport and had deposited it. Counsel for the petitioner states that the petitioner works abroad and on account of his employment requirement he has to return and is ready to return to India and face trial. He also states that compromise has been effected with the complainant.

Counsel for the petitioner states that the trial Court has

permitted the petitioner to go abroad from 5.5.2016 to 10.6.2016 and has been asked to furnish bank guarantee of ₹ 8,00,000/- which is not possible and two months time may be given to him to return. Counsel for the petitioner states that the petitioner's father owns landed property and he has taken telephonic instructions that the father would stand surety for the petitioner and he may be permitted to go till the middle of August, 16.

State counsel states that the challan has not been submitted yet and they were not aware that the petitioner has returned to the country and they would be submitting the challan shortly.

The petitioner is permitted to go abroad but he would return back on or before 1.8.2016. He would get his presence marked before the trial Court on return. The passport which is lying with the trial Court be returned to the petitioner on an undertaking that he would return to the country by the date mentioned above. The petitioner would furnish personal and surety bonds in the sum of Rs. 5,00,000/- subject to the satisfaction of the trial Court/Duty Magistrate. The father of the petitioner would stand surety in the sum of Rs. 5,00,000/- as undertaken here and he would submit the details of the property owned by him. On return, the petitioner would deposit his passport with the trial Court.

Summoned files be returned.

The petition is partly allowed.

**(ANITA CHAUDHRY)
JUDGE**

June 02, 2016
Gurpreet