

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-44075-2016

Date of Decision:- 16.12.2016

**Manohar Singh and others**

....Petitioners

**Versus**

**State of Punjab**

....Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

**Present: Mr. Parteek Pandit, Advocate  
for the petitioners.**

**Mr. APS Gill, AAG, Punjab.**

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**RITU BAHRI, J. (Oral)**

Present petition has been filed under Section 482 Cr.P.C. for quashing of order dated 18.11.2016 (Annexure P-9) whereby the application moved by the petitioners for permission to furnish surety bonds and for exemption from the condition imposed by the learned trial Court, vide order dated 29.09.2016 and 17.10.2016 to furnish bank guarantee to the tune of Rs.5 lacs each has been dismissed and further to permit them to furnish surety bonds and exempt them from furnishing bank guarantees for permission to go abroad.

As is evident from the record that the trial Court while granting permission to the petitioners to go abroad, vide orders dated 29.09.2016 (Annexure P-5) and dated 17.10.2016 (Annexure P-6), has observed that

they were permanent settled in Sharjah-Dubai and they have been living in India for so many days for the purpose of joining the police investigation and in case they are not allowed to go abroad for earning their livelihood, they will lose their jobs and entire family will ruin. Consequently, the accused have given undertaking that they will return to India within time as per directions of the Court and the permission was granted, subject to furnishing of bank guarantee to the tune of ₹5,00,000/- each with one surety in the like amount.

Learned counsel for the petitioners submits that the petitioners are not able to give bank guarantee to the tune of ₹5,00,000/-, at this stage, as they have to make earnest efforts to arrange the necessary cash and they be permitted to furnish surety bonds instead of bank guarantee.

After hearing the learned counsel for the parties, going through the record, the present petition deserves to be accepted and accordingly impugned orders dated 29.09.2016 (Annexure P-5) and dated 17.10.2016 (Annexure P-6), are being modified that the petitioners can visit abroad for a period of six months, subject to furnishing of surety bonds to the tune of ₹5,00,000/-.

With the above-said modifications, the present petition stands disposed of.

December 16, 2016  
naresh.k

( **RITU BAHRI** )  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |