

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

CRM M-14743 of 2017 (O&M)

Date of decision: 26.05.2017.

Sukhdev Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Shivender Pal Singh, Advocate,
for respondent No.2.

Jitendra Chauhan, J. (Oral)

This is a petition under Section 482 of Code of Criminal Procedure seeking setting aside of the order dated 24.03.2017 passed by Judicial Magistrate First Class, Moga (Annexure P-11) vide which the application filed by the petitioner seeking permission to go to Canada for one month, was declined.

It is contended that the petitioner is a Canadian citizen. When he came to India on 13.02.2017 he was arrested in a case which was got registered by his father. Subsequently, a compromise was reached between the parties. Now all the differences have been resolved but due to the pendency of the said case, the petitioner cannot leave the country. It is asserted that the petitioner has to go to Canada to make arrangement for his wife and minor child who are in Canada.

On the other hand, the learned State counsel opposes the prayer.

Keeping in view the fact that the petitioner is a Canadian citizen, his wife and son are in Canada, prior to the registration of the present FIR, the petitioner remained in Canada for six and a half years, this Court is of the opinion that the ends of justice would be squarely met in case the application is allowed and the petitioner is granted permission to go to Canada for one month from the date when he leaves India. It is ordered accordingly. However, the petitioner shall furnish indemnity bonds in the sum of Rs.25 lakh with one surety in the same amount and further to the satisfaction of trial Court.

26.05.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No