

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

CRM-M-33924-2017 (O&M)
Date of decision : 28.09.2017

Jasbir Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashok Kumar, Advocate,
for Mr. Kanwar Sanjiv Kumar, Advocate,
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab,
assisted by SI Nirmal Singh.

Mr. Amit Dhawan, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition under Section 482 of the Code of Criminal Procedure, has been filed seeking permission of the Court to go abroad for rejoining his job in Holland.

Allegedly, the petitioner was declared a proclaimed offender on 19.12.2016, without effecting service upon him. The petition under Section 438 Cr.P.C. moved before this Court by the petitioner was accepted vide order dated 16.08.2017 (Annexure P-1) with the condition that the petitioner shall surrender his passport with the trial Court and shall not leave the country without permission of this Court. At this stage, it is submitted that the petitioner has to join back his assignment in Holland. During the course of arguments, learned counsel appearing on behalf of the petitioner has circulated an e-mail sent to the petitioner from his employer.

The petitioner has offered to make payment of the maintenance amount for the next two years to the complainant in advance. He also undertakes to meet her day-to-day requirements and he would invite the complainant to join his company after he is fully rehabilitated.

Heard.

The petitioner is not involved in any other FIR. There is nothing on record to show that he ever misused the concession of bail.

Considering the above and the fact that it was second marriage of the complainant, who is stated to be a middle-aged person, the prayer made in the instant petition is accepted subject to the following conditions:-

- (i) the maintenance amount for the next two years at the rate of ₹10,000/- per month i.e. ₹2.40 lakh shall be tendered either in the shape of demand draft or through RTGS in the account of the complainant;
- (ii) the petitioner shall tender indemnity bond of ₹3.00 lakh with two local sureties in the like amount; and
- (iii) any other condition to be imposed by the releasing Court.

On fulfilling the aforementioned conditions by the petitioner, his Passport be released to him immediately and he be allowed to leave the country if not required in any other FIR.

Disposed of, accordingly.

A copy of this order be given to learned counsel for the petitioner under the signatures of the Bench Secretary.

28.09.2017
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No