

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

CRM No. M-8910 of 2017 (O&M)

Date of Decision: 01.06.2017

Vikram Seth

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Amit Jhanji, Advocate for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.

The instant petition was preferred under Section 482 Cr.P.C. for directing the trial Court to decide the application filed by the petitioner in case FIR No.298, dated 26.09.2013, under Sections 420/120-B IPC, registered at Police Station Civil Lines, Amritsar, wherein prayer was for seeking permission to the petitioner to proceed abroad from 06.04.2017 to 27.04.2017.

Briefly, it may be noticed that the present petitioner is facing trial in the aforementioned FIR. Petitioner has been granted concession of pre-arrest bail. He is apparently a businessman engaged in the business of export of readymade garments and is therefore required to travel abroad.

Counsel appearing for the petitioner would submit that even though the prayer made in the present petition was in relation to an application for proceeding abroad on particulars dates in the month of April, 2017 but such period has since expired and now the dates for business engagements in America have been rescheduled from 02.06.2017 to

20.06.2017.

During the course of hearing, counsel has also furnished before this Court, the air tickets that the petitioner has purchased to facilitate travel for the aforesaid dates.

Counsel for the parties have been heard.

It has gone uncontroverted that on three previous occasions, similar requests have been accepted by this Court. Orders in this regard have been adverted to and placed on record at Annexures P-5, P-6 and P-9 respectively.

Learned State counsel does not dispute the factual premise hereinabove. Petitioner has travelled abroad on the previous three occasions and has duly complied with the terms and conditions that were imposed. He had not misused the concession that has been granted.

Accordingly, the instant petition is disposed of by accepting the prayer of the petitioner for travel abroad for the period 02.06.2017 to 20.06.2017 subject to the following terms and conditions:

1. The petitioner shall execute a personal bond and two surety bonds in the sum of Rs.20 lacs to the satisfaction of the trial Court/Duty Magistrate.
2. The petitioner shall bind himself to return from abroad and appear immediately before the trial Court to facilitate further proceedings into the matter.
3. In case during the period the petitioner is abroad and the petition is listed for hearing, his personal appearance shall be exempted and he shall be permitted to appear through his counsel.

4. On return, the petitioner shall continue to be bound by the old bond and conditions imposed while releasing him on bail and the conditions imposed for his going abroad shall cease to be operative.

Disposed of.

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

01.06.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |