

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.13721 of 2018

Date of decision: 24.4.2018

Jasreen Singh Dhaliwal

...Petitioner

Versus

Jagtar Singh

...Respondent

Coram: Hon'ble Mr. Justice Sudip Ahluwalia

Present: Mr.Karanvir Singh Khehar, Advocate for the petitioner.

Ms.Rajni Gupta, Sr.DAG Punjab.

Mr.Piyush Sharma, Advocate for the complainant-respondent.

Sudip Ahluwalia, J. (Oral)

In this petition, the petitioner has prayed for permission to visit Canada for a period of two months. He is stated to be a Canadian citizen and is having his own truck related business there. It is his contention that it is imperative that he goes there once to re-arrange his business which has remained neglected for a long period of time, since he has been unable to go abroad on account of pendency of the present complaint case registered against him.

It is argued for the complainant and on perusal of the allegations made in the complaint, it transpires that grievance of the complainant who happens to be father of the girl with whom the petitioner's marriage was initially fixed and subsequently cancelled, was that on the pretext of such marriage, he had been duped of an amount of Rs.12 lacs by the petitioner's family. It is further contended that all the remaining five accused persons, who happen to be the petitioner's own parents, uncle and brother are in any case

based in India.

In the given circumstances, it does not appear to be a case in which the petitioner should be made to suffer substantial loss in his business interests merely because of pendency of a private complaint against him when it is a matter of record that the FIR lodged against him and his family members on the very same allegation was found to be groundless by the Police authorities, and Final Report of Cancellation submitted by them was also accepted by the Ld. Magistrate concerned.

The present application is therefore, allowed. The petitioner shall be at liberty to go to Canada for a period of two months from the date of his departure subject to the condition that he shall furnish security for an amount of Rs.12 lacs in any manner as may be deemed fit and proper by the Ld. Trial Court.

April 24, 2018
Meenu

(Sudip Ahluwalia)
Judge

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