

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13943-2018

Date of decision: 17.04.2018

Jaskirat Singh and anr.

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gurcharan Dass, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for setting aside the order dated 23.03.2018 passed by the trial Court, vide which the application filed by the petitioners for grant of permission to visit abroad was declined.

Learned counsel for the petitioners submits that daughter and son of the petitioners are residing at City of Edmonton in the State of Alberta, Canada and petitioner No.2 is a patient of psychiatric disease and she has to visit the doctor at Alberta, Canada, as per her pre-fixed appointment dated 26.04.2018.

Learned State counsel, on instructions from ASI Balbir Chand, has however opposed the prayer for granting permission to travel abroad on the ground that petitioner No.2 Karamjeet Kaur had earlier travelled abroad without prior permission of the Court and she was declared a proclaimed offender and therefore, there is a possibility that she may flee from the Court proceedings and may not return back to India.

In reply, learned counsel for the petitioners submits that both the petitioners have landed property in India. They are holding Indian passport and are ready to deposit Rs.5.00 lacs each as surety with the trial Court and give an undertaking that in case the petitioners failed to come back to India and appear before the trial Court within the period, qua which the permission may be granted, the amount of surety be forfeited to the State.

In view of the above, this petition is allowed and the impugned order dated 23.03.2018 passed by the trial Court is set aside. The petitioners are granted permission to travel abroad from 22.04.2018 to 17.07.2018, however, this will be subject to deposit of Rs.5.00 lacs each before the trial Court and furnishing an undertaking before the trial Court that in case the petitioners failed to return back to India on or before 17.07.2018 and failed to appear before the trial Court, the aforesaid amount of surety shall stand forfeited to the State.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No