

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

CRL. MISC. No.M-17545 OF 2018
DATE OF DECISION : 20th JULY, 2018

Inderpal Singh Saini

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. S. S. Sahu, Advocate for
 Mr. J.P.S. Sarao, Advocate for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. Sumeet Goel, Advocate for respondent No.2.

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A. B. CHAUDHARI, J. (Oral)

This petition is filed by the petitioner under Section 482 Cr.P.C. for cancellation of anticipatory bail granted by this Court to respondent No.2 vide order dated 16.09.2016 in CRM-M-3830 of 2016.

Heard learned counsel for the rival parties.

Learned counsel for the petitioner seeks adjournment as the arguing counsel is not present.

Learned counsel for respondent No.2 submits that indeed there is mistake on the part of respondent No.2, not obtaining prior permission before visiting the foreign country, which he did on two occasions. He further submits that he realized the mistake and he has

come back and deposit the passport with the trial Court along with undertaking that in future he would not commit such mistake.

In that view of the matter, I think, the filing of an affidavit by way of undertaking to the trial Court to the effect that the respondent would not hereinafter violate the condition about obtaining prior permission of the Court before leaving the country, would subserve the interest of justice. In the result, I make the following order:

ORDER

- (i) CRL. MISC. No.M-17545 OF 2018 is disposed of with direction to respondent No.2 to file undertaking before the trial Court not to go out of country without prior permission of the trial Court and shall obtain prior permission before doing so.
- (ii) Respondent No.2 is at liberty to apply for permission to leave country, before the trial Court.
- (iii) Respondent No.2 to pay an amount of ₹10,000/- (Rupees ten thousand only) as compensation to the petitioner, within a period of four weeks from today.

20TH JULY, 2018
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*