

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

**CRM-M-5108-2018(O&M)
Date of decision :16.02.2018**

Rahul Raisurana

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Aggarwal, Sr. Advocate with
Mr. Gaurav Gaur, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks permission to travel to Shanghai, China and USA on various dates in February-March, 2018.

This case arises out of Fir No.0031 dated 27.01.2016, under Sections 406, 420, 506, 120-B IPC, registered at Police Station Butana, District Karnal.

The petitioner was granted anticipatory bail vide order dated 15.11.2017 passed by this Court. One of the conditions imposed therein was that he shall not leave India without prior permission of the Court. Hence, application dated 23.01.2018 was filed before the trial Court for permission to travel abroad. The trial Court issued notice of the said application and reply was filed on behalf of the State of Haryana wherein it was recorded that the State has no objection since the applicant has been joining investigation and the DSP, Incharge of the SIT investigating the case, also cleared the request for travelling abroad. However, the trial Court rejected the application vide order dated 01.02.2018.

2. Notice of motion was issued pursuant to which learned State counsel has put in appearance. He states that the case is a very high profile case and that it is being investigated by the SIT and that the petitioner is required to join investigation on 21.02.2018. Very serious allegations are being made against the petitioner and, therefore, the present petition is misconceived. However, he does not dispute the fact that in the reply filed before the trial Court, the State had stated that it has no objection if the application is allowed.

3. Learned Senior counsel for the petitioner contends that as recorded in the order dated 15.11.2017 (Annexure P-1), the petitioner is in no way involved in the actual functioning of the concerned company and is only nominated Director of the Standard Chartered Bank, investor in the company. He further submits that due to his employment the petitioner is required to travel abroad very often and that even after lodging of the FIR he has travelled abroad on twelve occasions but has never absconded. The conditions imposed by this Court in the order of anticipatory bail have never been misused.

4. Keeping in view the fact that as per reply dated 29.01.2018 filed on behalf of the State of Haryana, before the trial Court, the State has pleaded no objection in case the petitioner is permitted to travel abroad and also keeping in view the fact that the petitioner has never misused the concession of the anticipatory bail granted by this Court and has travelled abroad on many occasions in the course of his employment. I do not see any reason why he should not be permitted to travel abroad this time as well.

5. Accordingly, the petition is allowed and the petitioner is

permitted to travel abroad subject to his joining the investigation on 21.02.2018. He shall inform the Investigating Officer regarding his itinerary for the period when he has to travel abroad and will report his departure and arrival without fail during the period of his travel.

6. Learned senior counsel for the petitioner, at this stage, submits that he may be permitted to withdraw the prayer for modification of the order dated 15.11.2018. He is permitted to do so.

(SUDHIR MITTAL)
JUDGE

16.02.2018
sunita

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