

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

**CRM-M-23531-2017 (O&M)**

**Date of decision: 25.11.2019**

**Surender Singla**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Ms. Promila Nain, Advocate  
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. J. S. Yadav, Advocate  
for the applicant/complainant.

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner in FIR No. 349 dated 24.06.2016, registered under Sections 406, 420, 465, 467, 468, 471, 506 and 120-B of the IPC at Police Station Samalkha, District Panipat.

On 17.07.2017, the petitioner was granted interim bail by passing the following order:

“During the course of arguments, it has transpired that the police has collected certain information on 07.07.2017 which is subsequent to the order passed by the Sessions Judge on 29.06.2017. The petitioner is directed to appear before the Investigating Officer to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:- 1. He shall make himself available for interrogation by a police officer as and when required; 2. He shall not directly or indirectly make any inducement,

threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and 3. He shall not leave India without previous permission of the Court.”

Thereafter, this petition is pending as learned counsel for the complainant filed a criminal miscellaneous application CRM-5017-2018 seeking cancellation interim anticipatory bail granted to the petitioner. The petitioner has already filed reply to the said application, which is on record.

Learned counsel for the applicant/complainant has submitted that in condition No. 3 of the order dated 17.07.2017, it was specifically ordered that the petitioner shall not leave India without prior permission of the Court, however, the petitioner, without such permission, has gone abroad in the month of September, 2017 and, therefore, he has breached the aforesaid condition and has misused the concession of interim anticipatory bail.

In the reply to the aforesaid application, which is on record, the petitioner has annexed a copy of order dated 05.09.2017, passed by the trial Court in the present FIR, wherein the application moved by the petitioner seeking permission to travel USA and Amsterdam from 08.09.2017 to 30.09.2017, on account of ill health of his wife, was allowed. Similarly, vide order dated 27.11.2017, the petitioner had moved another application seeking permission to travel Singapore from 27.11.2017 to 15.12.2017, which was also allowed. A perusal of aforesaid orders shows that on furnishing requisite surety bonds, the petitioner was permitted to travel abroad for the said period.

Therefore, I find that there is no violation of condition No. 3 laid down in the order dated 17.07.2017, granting interim anticipatory bail

to the petitioner, as he has travelled abroad after being granted due permission from the Court.

Learned counsel for the petitioner further submitted that co-accused of the petitioner have already been granted concession of regular bail and the petitioner was not named in the FIR.

Learned counsel for the petitioner further submitted that during the pendency of the present, as and when the petitioner has gone abroad, he has taken prior permission of the Court.

Learned State counsel, on instructions from SI Roop Chand, has not disputed the factual position and submitted that the petitioner has already joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 17.07.2017, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Accordingly, application bearing CRM-5017-2018, moved by the complainant seeking cancellation of interim anticipatory bail granted to the petitioner, stands dismissed.

25.11.2019

*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*