

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41065-2019 (O&M)
Date of decision: 25.09.2019

Monica Batra

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Pratham Sethi, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 20.09.2019 (Annexure P-6) passed by the trial Court, vide which permission to travel abroad has been denied to the petitioner, on account of non-furnishing of bank guarantee to the tune of Rs.10.00 lacs, directed by this Court vide order dated 22.08.2019.

Learned counsel for the petitioner submits that the petitioner has moved an application seeking permission to travel abroad (Hong Kong), which was allowed on 22.08.2019 subject to the condition that she will furnish a bank guarantee to the tune of Rs.10.00 lacs and will return back to India on or before 30.09.2019. Thereafter, the petitioner moved another application seeking permission to travel Hong Kong and Dubai w.e.f. 01.10.2019 to 01.11.2019, as her son is studying in 3rd year of System Engineering Management and she

wants to join him on the occasion of Diwali. It is further submitted that said application was dismissed by the trial Court vide order dated 20.09.2019, with the observations that since the petitioner has failed to furnish the bank guarantee to the tune of Rs.10.00 lacs, no such permission can be granted. It is also submitted that there is no direct allegation against the petitioner in the FIR and on account of her financial constraints, she could not furnish the bank guarantee of Rs.10.00 lacs and she is ready to furnish the bank guarantee to the tune of Rs.5.00 lacs.

Accordingly, both the orders dated 22.08.2019 and 20.09.2019 passed by the trial Court are modified to the extent that the petitioner is granted permission to travel abroad (Hong Kong and Dubai) w.e.f. 01.10.2019 to 01.11.2019 subject to the conditions that she will furnish a bank guarantee to the tune of Rs.5.00 lacs with the trial Court/Illaq Magistrate. It is further clarified that the petitioner will also furnish the complete details of her itinerary as well as the phone number, which she will use while in abroad and will report back immediately to the trial Court on her arrival to India.

On returning back to India, the bank guarantee of Rs.5.00 lacs will be released in favour of the petitioner.

With the aforesaid modifications, this petition is disposed of.

25.09.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No