

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

CRM-M No.9053 of 2020

Date of Decision : 19.03.2020

Geeta Rani and another

.....Petitioners

Versus

State of Punjab

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. D.S. Sandhu, Advocate
for the Petitioners.

Mr. Sukhbeer Singh, AAG, Punjab assisted by
ASI Gurdev Singh
for the respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

It is submitted on behalf of the Petitioners that it is imperative for them to return to Italy for a period of 04 months, as otherwise they are liable to lose their Permanent Resident Status.

2. The Challan has already been presented against the Petitioners after completion of investigation.

3. It is submitted by Ld. Counsel for the State that the date for consideration of charges is now fixed in the Ld. Trial Court on 4th April, 2020.

4. This Court is of the view that the Petitioners can be permitted to leave for Italy for the period, sought for by them, i.e., 04 months, subject to the following conditions :-

- (i) That the Petitioners shall appear before the Ld. Trial Court for consideration/framing of charges on the date already fixed i.e. 4th April, 2020, and if for any reason, the proceedings *qua* framing of charges are not completed on that date, then on any other short date, thereafter, to be fixed by the said Court;
- (ii) After framing of charges, the Petitioners would be at liberty to leave for Italy for a period of 04 months from the particular date further subject to the condition that their absence from the proceedings in trial during such period shall not be a ground for adjournment in the Ld. Trial Court, and from their side appropriate steps would have to be taken to ensure that the trial continues during their period of absence; and
- (iii) The Petitioners shall also furnish Surety Bonds to the tune of Rs.10.00 lacs each to the satisfaction of the Ld. Trial Court to ensure their return and appearance immediately after completion of 04 months.

If the above three conditions are fulfilled, the Petitioners shall not be prevented from travelling to Italy by any Authority due to pendency of the present FIR case against them.

With the above directions, the present Petition is disposed off.

March 19, 2020

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No