

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-17220 of 2020

Date of Decision: July 02, 2020

Dawinder Singh Kooner

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner is a citizen of New Zealand. A case under Sections 406, 420, 498-A IPC has been registered against him at Police Station N.R.I. Ludhiana (Rural) by his father-in-law. Challan has been presented in the said case but trial is not progressing as even charge has not been framed till date. Being an employee in New Zealand, there is urgent business needing to be attended, for which he needs to travel to New Zealand.

Learned counsel for the petitioner submits that on an earlier occasion the trial Court had been approached for permission to travel abroad but the permission was denied vide order dated 20.05.2019. Against the said order CRM-M-29810-2019 was filed which was, however, withdrawn vide order dated 18.02.2020 as the trial Court had already been directed to expedite the trial in a petition filed by his parents. Now, on account of the COVID-19 pandemic the trial has come to a stand still, directions are, thus, required to be issued to permit the petitioner to travel to New Zealand for six months.

I am afraid that the relief sought by the petitioner can not be granted by this Court. For grant of relief, the conditions of bail would require to be

modified and only the concerned Court would be competent to grant relief.

Learned counsel for the petitioner, thus, prays for permission to withdraw the present petition with liberty to approach the trial Court concerned.

Dismissed as withdrawn with the aforementioned liberty. It is further observed that the trial Court shall sympathetically deal with the application, if any, filed by the petitioner.

July 02, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No