

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

CRM-M-22568-2020 (O&M)

Date of decision: 07.09.2020

Sadashiv B. Shekhar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arjun Sheoran, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Present petition under Section 482 read with Section 438(2)

Cr.P.C. is for the grant of permission to the petitioner to travel abroad for his business/professional commitments, in view of the conditions imposed, vide order dated 02.04.2018 passed in CRM-M-47323-2017 granting anticipatory bail to the petitioner.

Learned counsel for the petitioner contends that the only allegation against the petitioner is that earlier, he was working as a Technical Advisor in the complainant-company, namely, JCBL and that while leaving the Company, the petitioner had also taken some designs and drawings of the bus body fabrication, which were intellectual property of the complainant Company.

This Court granted anticipatory bail to the petitioner vide order dated 02.04.2018 and the petitioner was directed to abide by the conditions envisaged under Section 438(2) Cr.P.C. Later, vide order dated 07.12.2018 passed by a Coordinate Bench, the petitioner was permitted to travel abroad till 31.01.2019.

Learned counsel for the petitioner submits that in terms of the aforesaid order, the petitioner went abroad and came back within the stipulated period. It is further contended that now, the petitioner intends to visit abroad for about 30 days i.e. from 20.09.2020 to 20.10.2020 for his business/professional commitments.

Notice of motion was issued to the State vide order dated 13.08.2020.

Today, the learned State counsel has pointed out that as nothing incriminating was found against the petitioner, the police has filed the the cancellation report in the present case. He does not dispute the factum of the earlier permission granted to the petitioner to go abroad and his return within the stipulated period.

Keeping in view the fact that the cancellation report has been filed in the present case coupled with the fact that on earlier occasion, a similar permission was granted to the petitioner, it would be unjustified to decline the prayer made by the petitioner in the present petition.

In view of the above, the present petition is allowed and the petitioner is permitted to travel abroad from 20.09.2020 till 20.10.2020. However, this permission is subject to the petitioner's furnishing appropriate

surety bonds to the satisfaction of the learned Chief Judicial Magistrate,
Mohali and any other conditions as may be deemed fit to be imposed by him.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

07.09.2020
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No