

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.37594 of 2020
Date of Decision :16.11.2020

Bippenjeet Singh

.....Petitioner

Versus

Union Territory, Chandigarh and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr.(Capt.) Arun Sharma, Advocate for the petitioner.
Mr. C.S.Bakshi, APP for U.T.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 482 of Cr.P.C. the petitioner has assailed the orders dated 10.02.2020 (Annexure P-2) and 04.09.2020 (Annexure P-3), vide which he was granted anticipatory bail in FIR No.178 dated 24.12.2019, under Sections 406 and 498-A of IPC, registered at Police Station Women, Sector 17, Chandigarh.

The limited grievance that the petitioner has is: that in terms of one of the conditions i.e. (iii) subject to which he was granted bail is that he will not leave India without prior permission of the Court. But, as the petitioner is a sefarer by profession and is engaged as Marine Engineer Officer on Foreign Going Ships his profession requires him to travel abroad. He alleged to have already exceeded his leave and his company requires him to submit his readiness to join so that he could be lined up to join the ship. The concern of the petitioner is that if he does not submit his readiness, post sanctioned leave period, his employment would be terminated. And, that would have severe consequences on his professional career.

Heard.

Concededly, the petitioner has also moved an application for permission to proceed for sailing to sea even before the trial Court. Upon which notice has been issued to the respondents. However, the grievance of the petitioner is that no reply is being filed thereto by the respondents. It is averred that the matter was listed for 26.10.2020 but was adjourned to 10.11.2020 and is now posted for 23.11.2020. Resultantly, the application moved by the petitioner awaits adjudication.

Be that as it may, for, the petitioner has already moved the trial Court as regards his concerns, duly expressed in his application, and upon which notice has already been issued to the respondents it would rather be expedient if the petitioner pursues the same in the first instance. Particularly, for, the matter is now posted for 23.11.2020.

In the wake of the above, the petition is disposed of with a liberty to the petitioner to pursue his application (ibid). This Court is sanguine that the trial Court, which is in seizine of the matter, shall make every possible endeavour to consider and decide the application moved by the petitioner on the date fixed. And, if for any reason the Court does not find it viable to dispose of the same on 23.11.2020, the same shall be decided at the earliest considering the urgency being expressed by the petitioner.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case.

(ARUN PALLI)
JUDGE

16.11.2020
Manoj Bhutani

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