

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-49985-2019 (O&M)

Date of Decision:-9.1.2020

Ajmer Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Gaagan Pradeep Singh, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. Jai Vir Yadav, Advocate for respondent No.2.

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**GURVINDER SINGH GILL, J.(Oral)**

1. The petitioner has approached this Court challenging order dated 30.10.2019 passed by learned Additional Sessions Judge, Hoshiarpur, whereby respondent No.2 has been granted permission by the Trial Court to visit 'USA' upto 30.3.2020 subject to his furnishing personal security bonds in the sum of ₹20 lakhs with one surety in the like amount.
2. Having heard the learned counsel for the petitioner and also the learned counsel for respondent No.2 as well as the learned State counsel, this Court is of the opinion that in order to ensure that respondent No.2 does not flee from justice and duly returns back after visiting 'USA', the condition as

imposed upon respondent No.2 i.e. furnishing of security bonds needs to be modified.

3. The petition, as such, is partly accepted and the impugned order is modified to the extent that respondent No.2 is permitted to visit USA subject to his depositing an amount of ₹40 lakhs in the shape of FDR favouring Registrar General of this Court within a period of two weeks from today in addition to his furnishing an indemnity bond and requisite affidavit/surety bond before the Trial Court undertaking his return to 'India' after visiting USA. Since the permission in question had been granted in the month of November 2019, therefore, the period for which respondent No.2 was permitted to visit USA is extended by one month i.e. upto 30.4.2020.
4. It is clarified that in case respondent No.2 violates any of the condition as may be imposed by the Trial Court at the time of acceptance of his indemnity bond or does not return back to India by 30.4.2020, the deposited amount i.e. amount of ₹40 lakhs may be forfeited or be released to the complainant.
5. It is, however, clarified that in the absence of respondent No.2 during his visit to USA, the proceedings of trial shall not stall and the recording of evidence shall continue for which respondent No.2 shall duly authorize his counsel or any other person to appear on his behalf and that he would not have any objection for recording of evidence in his absence.

**9.1.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No