

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6699 of 2022(O&M)
Date of Decision:- 30.05.2022

Ravinder Singh

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sumeetpal Singh Khaira, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

CRM No.8623 of 2022

Allowed. Affidavit is taken on record.

CRM-M No.6699 of 2022

Petitioner has filed the present petition for release of passport and seeking permission to travel abroad in case having FIR No.30, under Section 420 IPC, dated 30.01.2018 registered at P.S. City Rupnagar, Punjab.

After registration of aforesaid FIR, the petitioner was granted anticipatory bail by this Court vide order dated 30.08.2018,

Annexure P-2, and he was directed to deposit his passport with the Investigating Officer and in case the same is required for any purpose, an appropriate application be moved before the Trial Court.

From the perusal of Annexure P-3, and Annexure P-4, dated 7.12.2019 and 7.12.2021, it appears that the petitioner approached the Trial Court/Illaq Magistrate seeking permission to go abroad but both the said requests were declined by the Court concerned. Resultantly, the present petition has been filed by the petitioner for release of passport and for seeking permission to travel abroad.

The petition is contested by the State and reply by way of affidavit of Ravinder Pal Singh, Deputy Supdt. of Police, Rupnagar, filed on behalf of respondents No.1 to 3 was taken on record.

On 16.05.2022, the counsel for the petitioner submitted that the petitioner had already deposited Rs.20 lakhs in the shape of FDRs in Punjab National Bank, Branch College Road, Rupnagar in compliance of interim order dated 24.07.2018 passed by coordinate Bench of this Court. The counsel for the petitioner further contended that the retiral benefits of the petitioner worth Rs.80 lakhs have been withheld by his employer i.e. Punjab National Bank.

The State counsel was directed to verify the aforesaid facts. In compliance thereof, short reply way of affidavit of Ravinder Pal Singh, Deputy Supdt. of Police, Rupnagar is filed today on behalf

of respondents No.1 to 3 and the same is taken on record. As per the said short reply coupled with Annexure R-1, no amount on account of retiral benefits of petitioner is due or withheld by the concerned bank.

The petitioner intends to go to USA for a period of approximately 9 weeks where his sons and real sister are residing and there is ring ceremony of his son in July, 2022 and the proposed return of the petitioner is in August, 2022.

I have heard the counsel for the petitioner as well as for the State.

As per the allegations appearing in the FIR, the petitioner was working as an officer in Punjab National Bank, Branch Ropar, from 2011 to 2015 and during the said period he embezzled the amount belonging to Bank and accordingly, FIR No.30 dated 30.01.2018 was registered in which he has already been granted anticipatory bail by this Court. As per the reply submitted by the State dated 16.05.2022, challan has not been presented by the police against the petitioner in the Court of Illaqa Magistrate.

In view of the above, I deem it appropriate to allow the present petition subject to deposit of bank guarantee of Rs.30,00,000/- (Rupees Thirty Lakhs) by the petitioner with the court of Illaqa Magistrate/CJM concerned, which is in addition to aforesaid FDRs of Rs.20,00,000/- (Twenty Lakhs) which are already lying in the Bank. The petitioner shall also furnish personal and surety bond to the satisfaction of court of Illaqa/Duty Magistrate/CJM with an

undertaking that in case he fail to return to India or appear before the Court concerned within time, the aforesaid bank guarantee of Rs.30,00,000/- as well as the amount of FDRs will be forfeited to the State. Subject to aforesaid condition, the passport of the petitioner is to be released and he is given permission to visit USA for a period of 8 weeks with effect from the date his passport is released by the concerned authority. After his return from foreign country the petitioner has to surrender his passport within one week thereof and on doing so he will be entitled to get release the aforesaid bank guarantee of Rs.30,00,000/- (Thirty Lakhs).

The present petition stands disposed of accordingly.

30.05.2022

P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No