

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

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CRM-M No. 15425 of 2022

Date of decision : 29.4.2022

Baljit Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present : Mr. D.V. Sharma, Senior Advocate with
Mr. Tushar Sharma, Advocate, for the petitioner
Ms. Sakshi Bakshi, AAG, Punjab

RAJESH BHARDWAJ, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C. seeking permission to leave India in view of the condition imposed by this Court while granting bail in FIR No.7 dated 2.9.2021, registered under Sections 406 and 498A IPC, at Police Station NRI, District Hoshiarpur.

It has been contended by the Senior counsel that the petitioner before this Court is the sister-in-law of the complainant. He submits that the husband and the complainant, both are NRI and citizens of USA. He further submits that their marriage is dissolved by decree of divorce granted by Court in USA. He has submitted that the petitioner has nothing to do with the inter se dispute of husband and wife, who are the permanent citizens of USA. He submits that the FIR was lodged on the basis of e-mail sent by the complainant from USA. He has submitted that now the petitioner wants to go to Australia for a family function with her sister in Australia. Learned Senior counsel has further submitted that the petitioner was granted the interim bail by this Court on 7.10.2021. In pursuance to the same, she duly joined investigation and interim order dated 7.10.2021 was made absolute on 28.1.2022. He further

submits that the petitioner has impeccable records and she has never been involved in any criminal cases earlier.

Learned State counsel has relied upon the status report filed. While opposing the prayer made by the petitioner she has stated that the matter is under investigation and the petitioner is required for investigation .

Heard.

The petitioner is the sister-in-law of the complainant. The complainant is a permanent resident of USA. There is nothing on record showing that the petitioner has any criminal antecedents. However, in the present case, she was granted anticipatory bail and the same was made absolute. In the facts and circumstances of the present case, the Court does not find anything adverse disentailing the petitioner for the grant of relief prayed for. So the petitioner is granted permission to travel to Australia for the period of 3 months i.e. from 2.5.2022 to 2.8.2022. The petitioner would deposit the security of Rs.5 lakhs with the trial Court and file an affidavit mentioning the date of her return to India. The petitioner would give the details of her address where she is travelling and the contact number in the affidavit, for the purpose of pending investigation. The petitioner, on her return to India would make herself available for the completion of the investigation of the case. In case the petitioner disobeys the undertaking given to the Court, the security deposited, would be forfeited to the State.

Accordingly, the present petition is allowed in the above terms.

(RAJESH BHARDWAJ)
JUDGE

29.4.2022

Ashwani

Speaking/Reasoned : Yes/No
Reportable : Yes/No

ASHWANI KUMAR
2022.04.29 19:17
I attest to the accuracy and
integrity of this document