

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

Criminal Revision No.761 of 2022(O&M)

Date of Decision: April 28, 2022

Gurpreet Singh Sidhu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr.Monty Goyal, Advocate
for the petitioner.

Mr.B.S.Sewak, Addl. AG, Punjab.

-

HARINDER SINGH SIDHU, J.

Challenge herein is to the order dated 19.04.2022 passed by Ld. Judicial Magistrate Ist Class, Derabassi, whereby, the application of the petitioner for permission to visit United Kingdom for a period of six months, has been dismissed.

The petitioner is an accused in case FIR No.7 dated 05.01.2021 under Sections 420, 419, 170, 120-B of the Indian Penal Code, Sections 61, 78(2), 63A, 24A of the Punjab Excise Act and Section 25 of the Arms Act. He was arrested on 09.01.2021 and vide order dated 05.02.2021, he was granted bail by the Ld. Sessions Judge, SAS Nagar, Mohali.

On behalf of the petitioner, it is stated that he had come to India for some work, but he was falsely implicated in the present case. He and all his family members, which includes his parents, wife and children are

citizens of United Kingdom. It is the case of the petitioner that his father Surinderpal Singh Sidhu is suffering from cancer and passing through last stage of the disease. The petitioner wants to get his father treated immediately from United Kingdom and therefore, he has sought permission to visit UK for six months. The medical treatment record of the father of the petitioner is also enclosed as Annexure P-3.

Short reply by way of affidavit of Navneet Singh, PPS, Deputy Superintendent of Police, Zirakpur, District SAS Nagar has been filed. It is stated that the FIR was registered against Jatinderpal Singh, Jatinder Singh, Karan Goswami, Vijay and unknown persons with the allegations that they used to buy cheap liquor from Chandigarh, pour it in the empty liquor bottles of expensive brands, and sell it on higher prices. Jatinderpal Singh, Karan Goswami and one Kuldeep Singh were arrested on 05.01.2021. During investigation, accused Jatinderpal Singh named Gurpreet Singh Sidhu (petitioner) and one Ashu Goyal. Petitioner was arrested on 09.01.2021.

In my view considering the totality of circumstances, particularly the medical records of his father, the prayer of the petitioner deserves to be allowed. However, to safeguard the interests of the State, the permission to visit abroad may be subjected to providing heavy surety.

Accordingly, the impugned order is set aside. It is directed that the petitioner would furnish the original papers of an immovable property in his name, having minimum value of Rs.10,00,000/- (Ten Lacs), to the satisfaction of the Trial Court/ Duty Magistrate, Derabassi as surety.

Subject to this condition, he is permitted to travel to UK for Four Months.

The period of Four Months would commence from the date he leaves India.

Within 15 days of his return to India, the petitioner would surrender the passport before the Trial Court/Duty Magistrate, concerned.

Petition stands disposed of accordingly.

April 28, 2022
gian

(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No