

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

**CRM-M No.21830 of 2022 (O&M)**

**Date of decision: 30.05.2022**

Pritpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:** Mr. Sanjay Vashisth, Advocate  
and Mr. Aakash Vashisth, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Rajinder Sharma, Advocate for the complainant.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for setting-aside the order dated 05.05.2022 passed by the trial Court vide which the application filed by the petitioner seeking permission to go abroad i.e. Australia, to visit his wife was declined.

Counsel for the petitioner has argued that the FIR No.88 dated 04.06.2019 was registered under Sections 420, 120-B IPC at Police Station Kamboj, District Amritsar (Rural), at the instance of Balkar Singh against 04 persons i.e. Jasveer Kaur, mother of the petitioner, Pritpal Singh (petitioner herein), Ravjeet Kaur (now deceased) and Rajinder Kaur, who is wife of Robinjeet Singh, son of the complainant. It is further submitted that Rajinder Kaur has gone to Brisbane in Australia in the year 2014 for studies and presently, she is doing Masters in International Tourism and Hospitality Management in Australia. The son of the complainant Robinjeet Singh also gone to

Canada, however due to matrimonial discord with Rajinder Kaur, he has come back to India in October, 2017.

Counsel for the petitioner has further argued that now the petitioner, who is facing the trial, wants to visit Australia for a period of 03 months to take care of his wife Sukhdeep Kaur, who is a student there.

Counsel for the State, however, submitted that the allegations against the petitioner are that he has taken Rs.28.50 lacs from the complainant through bank transactions and has failed to return back the amount.

In reply, counsel for the petitioner has submitted that at the time when the marriage took place, it was agreed between the parties that this amount will be sent to Rajinder Kaur, wife of Robinjeet Singh and the petitioner has only transmitted the said amount to Rajinder Kaur. It is further submitted that the petitioner is ready to furnish a declaration that his minor daughter is residing with her grandparents and the petitioner after visiting his wife will return back to India within a period of 03 months.

After hearing the counsel for the parties, considering the facts and circumstances of the case, the present petition is allowed and the order dated 05.05.2022 is set-aside.

This will, however, be subject to the condition that the petitioner will hand over an FDRs of Rs.7.50 lacs with the trial Court with a surety that the petitioner will return back within the time given by this Court i.e. 03 months.

The petitioner will also submit an undertaking before the

trial Court that in case he fails to return back within the time granted by this Court, the said amount of Rs.7.50 lacs will be forfeited to the State.

The petitioner will further give the details of itinerary including his e-mail id and mobile number, while his stay in Australia as well as the details of the passport number as well as place of stay of his wife and before leaving the country, he will inform the concerned SHO about his date of departure and on his return to India, he will also inform about the same to the said SHO.

Disposed of.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**30.05.2022**  
*yakub*

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |