

CRM-M-43202-2022

Date of Decision:19.09.2022

Nav Rattan Munjal

.....Petitioner

Vs.

UT, Chandigarh

....Respondent

CORAM : HON'BLE MS.JUSTICE NIDHI GUPTA

Present: Mr. Puneet Bali, Sr. Advocate with
Mr. Surjeet Bhadu, Advocate,
for the petitioner.

Mr. A.M.Punchhi, PP, UT, Chanidgarh with
Mr. Anupam Bansal, Addl.P.P.,UT.

NIDHI GUPTA, J. (Oral)

This is a petition filed under Section 482 of the Cr.P.C. whereby the petitioner seeks permission to travel to Frankfurt, Germany from 31.10.2022 to 07.11.2022. He also prays for quashing of the order dated 08.09.2022, passed by the learned Additional Sessions Judge, Chandigarh, whereby petitioner's application seeking aforesaid permission had been dismissed.

He further submits that the petitioner is a Chairman of Indo-Swift Laboratories Limited, one of the reputed Pharmaceutical Ingredients Manufacturing Company, exporting its products to most of the countries and an event is being held in Frankfurt, Germany for which the company has booked a stall for exhibiting its products and also for looking for expanding its global presence.

Learned counsel for the petitioner submits that the petitioner is

on regular bail and vide orders dated 02.07.2021, 18.10.2021 and 06.06.2022, he has earlier also been granted permission to travel abroad for personal as well as official reasons and on his return to deposit his passport accordingly.

Learned counsel for the petitioner has further referred to the order dated 28.06.2021 (Annexure P-3), passed by the Hon'ble Supreme Court of India whereby the petitioner was earlier permitted to travel abroad for personal reasons upon filing “.....an unconditional undertaking before this Court that he shall immediately upon the expiry of the period so stipulated return to India and shall be available to face trial in the proceedings arising out of FIR no.3 dated 01.08.2018, in respect of which a chargesheet has been filed after investigation before the competent Court; and on the return of the appellant, the passport shall be deposited with the trial Court...”

Learned counsel for the petitioner further submits that in the past also the petitioner had been allowed to travel abroad on at least three occasions on various dates for different periods of time and each time after availing the concession to travel the petitioner had on his return deposited the passport with the Court. Learned counsel for the petitioner further submits that the petitioner is willing to give a similar undertaking in the present case as well.

Notice of motion.

Mr. A.M.Punchhi, PP, UT, Chandigarh, accepts notice at the asking of the court on behalf of the respondent.

Learned Public Prosecutor, submits that he has no objection if the petitioner is allowed to travel upon furnishing of such an undertaking

before the trial Court.

That being so, without making any comment on the actual merits of the case, the petition is allowed and permission is granted to the petitioner to travel to Frankfurt, Germany from 31.10.2022 to 07.11.2022, upon his furnishing an undertaking before the Court concerned to the effect that immediately upon the expiry of the period so stipulated he shall return to India and be available to face trial in the proceedings arising out of FIR No.3 dated 01.08.2018 under Sections 420, 466, 468, 471 and 120-B IPC read with Section 12, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station UT, Chandigarh and deposit his passport with the Court concerned.

September 19, 2022

dharamvir

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO