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Neutral Citation No .2023:PHHC:116914

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

280

**CRM-M-28676-2023 (O&M)
Decided on : 05.09.2023**

Harmeet Singh

. . .Petitioner

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

PRESENT: Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN , J. (Oral)

Short reply dated 05.09.2023 by way of affidavit of Manjit Singh, Deputy Superintendent of Police, Sub-Division Morinda, District Rupnagar on behalf of respondent No. 1 has been filed by learned State counsel and same is taken on record.

Copy thereof has also been supplied to learned counsel for the petitioner in the Court today itself.

Prayer in the present petition is for setting aside the order dated 26.04.2023 (Annexure P-1) passed by learned Additional Sessions Judge, Rupnagar, whereby the application moved by the petitioner seeking permission to visit Canada from 06.09.2023 to 06.10.2023 in order to celebrate the birthday of his grand son stands declined.

Petitioner was booked under FIR No. 07 dated 21.05.2018 and stands convicted for the offence punishable under Sections 323 and 325 of the Indian Penal Code, 1860 and has been sentenced as under:

Name of the Accused	Sections	Punishment
Harmeet Singh	323 & 325 IPC	To under go rigorous imprisonment for three months under Section 323 IPC and rigorous imprisonment for six months under Section 325 IPC and to pay compensation of Rs. 5,000/- to complainant.

Appeal is pending before the Sessions Court, Rupanagar, wherein the petitioner stands admitted to bail. Prayer made by the petitioner seeking permission to visit Canada stands declined on the ground that the petitioner being convict there is every apprehension that he would not return from the foreign country and flee from arms of justice.

After hearing learned counsel for the parties and after perusing the record, this Court finds that may be for the reasons that petitioner stands convicted, the application to go to Canada has been rejected. So far as, apprehension of the Appellate Court with respect to the petitioner fleeing from the arms of justice is concerned the same can be taken care off and the petitioner can be asked to comply with the heavy surety. Resultantly, present application is allowed. **Petitioner is granted permission to visit Canada till 06.10.2023 on submitting two**

sureties amounting to Rs. 1 lac each before Appellate Court, the petitioner shall return back and surrendered before the Court on 07.10.2023. On his surrendering, he shall be again released on bail.

Ordered accordingly.

(PANKAJ JAIN)
JUDGE

September 05, 2023
Riya

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No