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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12268-2024
Decided on: 07.03.2024

Rajiv Gambhir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arshdeep Singh Cheema, Advocate and
Mr. Ishan Khetarpal, Advocate for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
18	14.09.2023	ACB Panchkula, District Anti Corruption Bureau, Haryana	120B, 323, 364-A, 365, 384 & 386 IPC (Section 8 of PC Act added later on)

Seeking permission to travel Rome (Italy) and USA, to attend meeting with the officials of ARIS SpA, of whom the petitioner’s company namely M/s Prominent Comtech Pvt. Ltd. is a distributer in India and quashing of Look Out Circular, the petitioner has come up before this Court under Section 482 CrPC, in the above captioned FIR, which is pending against him.

2. Petitioner was granted anticipatory bail vide order dated 21.02.2024 passed in CRM-M-53422-2023. Perusal of the order reflects that matter has already been settled between the parties.

3. Petitioner’s counsel submits that petitioner’s company M/s Prominent Comtech Pvt. Ltd. Produces prototype tanks, in partnership with BEML, a PSU of Ministry of Defence. The company ARIS SpA is based in Italy, which designs, develops and manufactures special off road amphibious wheeled and tracked vehicles and many type of Defence systems including main battle tanks, missile systems etc. He further submits that the petitioner has received invitation from ARIS Spa in connection with the meeting in order to discuss future business prospects.

4. Counsel for the State submits that if this Court is inclined to grant permission to the petitioner to go abroad, then the same must be subject to some stringent conditions.

5. Given above, the petition is allowed subject to the following conditions:-

(i) The petitioner shall share the addresses where she would stay in Rome (Italy) and USA and share the e-mail ID also. Further, the petitioner will activate international roaming pack (valid till the date of his return) on phone number on which he would use whatsapp.

(ii) The petitioner shall keep the GPS location ON of his phone and shall also share IMEI number of the phone. The petitioner shall share other information with the State counsel before this Court. On receipt of such information learned counsel for the State shall pass on the same to the investigator.

(iii) The petitioner shall return from USA on or before 15.04.2024.

(iv) Counsel for the petitioner shall appear before the trial Court on his behalf and shall not seek any adjournment during this period.

6. It is clarified that in case the petitioner violates any of the conditions, then it may be construed against him while granting similar permissions in future and it shall be permissible for the State to file application for cancellation of passport. It is further clarified that any Look Out Circular, if any issued against the petitioner in this FIR, shall remain stayed till 15.04.2024.

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

07.03.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.