



Sr. No.214

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

CRM-M-25650-2024
Date of decision: 07th June, 2024

NEERAJ JAIN**Petitioner**

versus

STATE OF HARYANA**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sanyam Khetarpal, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Shashikant Singh, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of impugned order dated 14.05.2024 (Annexure P-6), passed by the Additional Sessions Judge, Faridabad, whereby, the application filed by the petitioner seeking permission to go abroad (European countries) for the period from 10.06.2024 to 15.07.2024, has been dismissed.
2. Learned counsel for the petitioner contends that the FIR No.569 dated 25.08.2022 (Annexure P-1) has been filed against the petitioner and he has also filed a petition bearing No.CRM-M-26670-2023 for quashing of the said FIR as well as the report submitted under Section 173 Cr.P.C. As per the order dated 13.07.2024 (Annexure P-3), the co-ordinate Bench of this Court issued notice of motion in the said quashing petition and in the meantime, the proceedings qua the petitioner have been ordered to be stayed.



3. It is contended on behalf of the petitioner that the petitioner was earlier permitted to go abroad vide order dated 18.04.2023 (Annexure P-5), passed by the Sessions Judge, Faridabad and the petitioner has not violated the terms and conditions of the said order and came back to India within the stipulated period. It is further contended that the petitioner is ready to furnish guarantee to ensure that he would comply with all the terms and conditions, in case he is allowed to go abroad. It is further contended that the petitioner is engaged in business and he intends to visit European countries w.e.f. 10.06.2024 to 15.07.2024 for the purpose of vacation and promotion of his business.

4. Learned counsel for the complainant has submitted that the conditions may be imposed to ensure the presence of the petitioner after the expiration of the stipulated period.

5. Learned State counsel, while referring to the reply dated 30.05.2024, filed by way of affidavit of Sh. Vinod Kumar, HPS, Assistant Commissioner of Police, Ballabgarh, District Faridabad, submits that challan has already been presented against the petitioner and some conditions may be imposed upon the petitioner to ensure his presence after the expiration of the said period.

6. In view of the aforesaid facts and circumstances, the petitioner is permitted to visit abroad for a period of 04 weeks w.e.f. 10.06.2024, subject to the following conditions:-

(i) That the petitioner shall furnish his complete address, phone number and e-mail address, where he will live in Australia during this period;

(ii) The petitioner shall furnish a person bond in the sum of Rs.7,00,000/- with one surety in the same amount of his family member to the satisfaction of the learned trial Court/Duty Magistrate concerned and will also furnish copy of the titled deed of the immovable properties owned by them in India;



- (iii) The petitioner would also file an affidavit before the trial Court/Duty Magistrate concerned disclosing all his immovable properties along with the properties of his family members; and
- (iv) The petitioner would also furnish an undertaking before the trial Court/Duty Magistrate that he would return back to India within the prescribed period and that he has no objection if evidence is recorded in his absence and would not raise any objection of identity.

7. Subject to compliance of the said conditions, the petitioner is permitted to go abroad for a period of 04 weeks. After accepting the bonds, affidavit and undertaking, an intimation be also sent to the Registry of this Court.

8. In view of the above, the present petition stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

07th June, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No



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**NEERAJ JAIN
VS
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It has been brought to my notice that inadvertently, the word “Australia” has been typed in Para No.6(i) of the order dated 07.06.2024, passed in the present case. The said mistake stands rectified. The word “Australia” be read as “European countries” in Para No.6(i) of the order dated 07.06.2024.

**(HARPREET KAUR JEEWAN)
JUDGE**

07.06.2024
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