



CRM-M-25955-2024

311 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.25955 of 2024
Date of Decision: 15.07.2024

Yogender Pal Walia ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajat Malhotra, Advocate for the petitioner.

Mr. Sukhdev Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
10	17.08.2017	Vigilance Bureau, Flying Squad-I, District Mohali (Punjab)	406, 409, 420, 467, 468, 471, 477-A, 120-B, IPC and Sections 13(1)(d) read with Section 13(2) of Prevention of Corruption Act, 1988

Seeking permission to travel to Canada for a period of 04 months to meet his children and attend family functions, petitioner who has been nominated as an accused in the FIR captioned above, has come up before this Court under Section 482 Cr.P.C.

2. State counsel submits that if the petitioner is allowed to travel to Canada, there is least likelihood of his coming back to India and submits that in case this Court allows the petitioner to go abroad, then the petitioner must give undertaking to appear and attend the trial as and when the police report under Section 173 Cr.P.C. is filed. He further 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.

3. Counsel for the petitioner on instructions submits that if the petitioner tries to flee the country, he would have no objection if his passport itself is cancelled which would lead to automatic cancellation of visa(s) issued on his passport. He further submits that pursuant to order dated 03.07.2024 affidavit has already been furnished to State counsel.

4. Given above, the petition is **allowed** and the petitioner is permitted to travel abroad upto 30.11.2024, subject to the condition that he shall abide by his undertaking given in the affidavit and shall report back to Investigator within one week after 30.11.2024.

2024:PHHC:087778



CRM-M-25955-2024

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5. In case the petitioner does not return on time, it shall be permissible for the State to file application for cancellation of passport. It is further clarified that in case the petitioner violates any of the conditions, then it may be construed against him while granting similar permissions in future.

(ANOOP CHITKARA)
JUDGE

15.07.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.