



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30703-2024 (O&M)
Date of order: 10.07.2024

Bhupinder Kaur Patwari
... Petitioner(s)
Versus
State of Punjab
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Sherry K. Singla, Advocate for the petitioner(s).
Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
5	8.5.2017	Vigilance Bureau, Patiala	7, 13(2), 88 PC Act

1. Seeking quashing of order dated 5.6.2024 passed by Additional Sessions Judge, Sangrur, whereby his prayer to travel abroad was rejected, petitioner has come up before this Court under Section 482 CrPC.
2. Counsel for the petitioner submits that the petitioner is on bail in abovesaid matter and he wants to visit England to drop his ailing mother there. He submits that he has taken Ex-India leave from the department w.e.f. 8.5.2024 to 31.7.2024 for this purpose. He further submits that he had voluntarily complied with order dated 4.7.2024, declaring all his assets to the investigator.
3. State's counsel opposed the prayer, however, does not refute the claim of compliance of such conditions.
4. I have heard counsel for the parties and gone through the record.
5. In para 3 of the petition, petitioner submits that he wants to visit England to drop his ailing mother to his sister at England and he would return back till 31.7.2024.
6. An analysis of the pleadings and the undertaking, points out that there is no material to presume that petitioner shall not return back to India or he is likely to take political asylum. In fact allegations are of corruption, fraud and forgery, as such, there



are no chances of grant of political asylum to petitioner when he is charged for various offences including corruption. Petitioner has specifically undertaken through counsel that in case he fails to return by 1.8.2024, his passport may be cancelled. Once passport is cancelled, it would certainly reduce the petitioner’s chances of taking political asylum.

7. In the entirety of facts and circumstances of the case, the limited prayer of the petitioner is **allowed** and he is permitted to go to England. The investigator is directed to return the passport of the petitioner, if it is lying with him/her, to enable the petitioner to apply for requisite process, subject to furnishing page to page photocopy of the same against proper receipt. Petitioner is permitted to travel England, subject to the following conditions:-

- (i) The petitioner shall share his e-mail ID and addresse(s) where he would stay in England. 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 share the mobile number, whatsapp number and keep the GPS location ON of his phone and shall also share IMEI number of the phone. The petitioner shall share all this information with the State’s counsel before this Court. On receipt of such information learned counsel for the State shall pass on the same to the quarter concerned.
- (iii) The petitioner will be bound to respond to all the investigator's queries through WhatsApp or email.
- (iv) The petitioner shall return from abroad on or before 31.07.2024 and report to the investigator within five working days;
- (v) The petitioner shall supply photocopies of his passport/visa showing departure and arrival from India and back.

9. 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 petitioner’s passport.

Petition allowed. Application(s), if any, shall stand disposed of.

(ANOOP CHITKARA)
JUDGE

July 10, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No