

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.54555 of 2023 (O&M)
Date of Decision: 25.01.2024

Umesh Kumar Garg @ Arjun

..... Petitioner

V/s.

Assistant Director, Enforcement Director, Jalandhar

.....Respondent

CORAM: **HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Aman Garg, Advocate for the petitioner.

Mr. Lokesh Narang, Senior Panel Counsel
for UOI.

Anoop Chitkara, J. (Oral)

Seeking quashing of order dated 29.09.2023 passed in Complaint No. COMA-15/2017 dated 22.12.2017 titled as “Assistant Director versus Raman Kumar Garg & Others” whereby the application filed by the petitioner to travel Dubai has been declined, the petitioner has come up before this Court under Section 482 Cr.P.C.

2. Counsel for the petitioner submits that the petitioner wants to travel to Dubai alongwith his wife as he could not travel immediately after his marriage and now he wants to fulfill his family obligations and has prayed for grant of permission to travel abroad.

3. On the other hand, counsel for the respondent-ED submits that this petition has been rendered infructuous because the period for which permission was sought has already elapsed. He further opposes the permission on the ground that at the time of anticipatory bail, the petitioner tried to flee from the country.

4. Counsel for the petitioner denied the averments made by the counsel for the respondent-ED. He further submits that he would be contented and satisfied if he is permitted to file a representation before the Joint Director (Zone Incharge), Jalandhar mentioning details / reasons for his visit to Dubai and concerned Director shall decide his representation without being influenced by the previous rejection by the trial Court and he shall accord no objection to the petitioner to enable him to seek permission from the trial Court afresh.

5. Counsel for the respondent-ED submits that they have no objection in case the petitioner is permitted to file such representation.

6. Given above, the present petition is disposed of with liberty to the petitioner to make a representation to the Joint Director (Zone Incharge), Jalandhar who shall decide the same and shall accord no objection to travel abroad to the petitioner in accordance with law within a period of two months from the date of filing of representation to enable the petitioner to file an application for permission to travel abroad before the trial Court. The trial Court is also

directed to decide his application if any, filed afresh without being influenced by the orders of previous rejection. Pending applications, if any, stand disposed of.

25th January, 2024

Sonia Puri

(ANOOP CHITKARA)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No