



CRM-M-32139-2025

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

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CRM-M-32139-2025

Date of Decision: 29.07.2025

Sandeep Bhatia

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Anurag Chopra, Advocate,
Mr. Eshan Bhardwaj, Advocate, and
Mr. Nikhil Deora, Advocate for the petitioner

Mr. Jastej Singh, Additional Advocate General, Punjab

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking permission to the petitioner to travel abroad to attend a family function. He is an accused in case FIR no.11 dated 16.08.2022, registered under Sections 409, 420, 467, 468, 471 & 120-B of IPC and 7, 8, 12 & 13 (2) of the Prevention of Corruption (Amended) Act, 2018, at Police Station Vigilance Bureau, Ludhiana, Annexure P-1. Prayer has also been made to set aside the order, dated 02.06.2025, passed by learned Special Judge, Ludhiana, whereby the permission to go abroad has been declined.

2. As per facts apparent on record, the petitioner moved an application, Annexure P-5, seeking permission to go to Canada from 16.06.2025 to 15.07.2025 to attend inauguration of his cousin's house there. The application has been declined by learned Special Judge vide impugned



order dated 02.06.2025, on the ground that purpose of petitioner's visit "*does not appear to be of any urgency. A house is being purchased, that too by cousin and only Path of Sri Sukhmani Sahib is to be held. In the case in hand, already two co-accused Rakesh Kumar Singla and his wife Rachna Singla have absconded from the Trial and are Proclaimed Offenders. There is every likelihood that this accused will also abscond from Trial, once he is permitted to visit Canada*".

3. Learned counsel for the petitioner contends that FIR against the main accused Bharat Bhushan Sharma *alias* Ashu, and co-accused Sukhwinder Singh Gill and Paramjit Chechi has already been quashed by this Court vide judgment dated 20.12.2024 rendered in CRM-M-43528-2023. He also submits that the petitioner has also sought quashing of the FIR by filing CWP-2303-2024 titled *Sandeep Bhatia v. State of Punjab and others*, which is pending hearing at motion stage, and vide order dated 02.02.2024, further proceedings before the trial Court have been stayed. Although the petitioner initially sought permission to go abroad for a specific period, from 16.06.2025 to 15.07.2025, his petition could not be taken up for hearing before the period was over. Accordingly, he filed an additional affidavit before this Court dated 09.07.2025 stating that he is a holder of multiple entry visitor visa to Canada, which is valid upto 14.05.2026. As his cousin/brother has constructed a house there, he wishes to visit him and has also purchased travel tickets for the purpose.

3.1. Learned counsel further contends that the apprehension expressed by learned Special Judge while dismissing the application is unfounded as the petitioner has no connection with the other two accused who statedly are



absconding trial, one of whom is not even related to the case. He pointed out that one of these accused Surinder Kumar Berry *alias* Surinder Kumar Beri was granted permission to go abroad by learned Special Judge vide order dated 10.05.2024. It is also contended that the petitioner is a Handling and Transport Contractor, and makes his living by working here in India. He has been awarded a contract by the Food Corporation of India vide letter dated 14.08.2023, Annexure A/2, which still subsists. In terms therewith, he has given a bank guarantee of ₹58,13,200 to the Corporation; therefore, there is no apprehension of his absconding. He is a respectable citizen and undertakes to abide by all the conditions that may be imposed by this Court.

4. Learned State counsel, on the contrary, contends that the petitioner is not entitled to be given the permission sought to go abroad. As already noticed by learned Special Judge, other two co-accused who were allowed to visit Canada, have absconded. There is every likelihood that in case the petitioner is allowed to go abroad he will not come back to face trial.

5. Heard.

6. As per the facts aforementioned, trial in the case in which petitioner is an accused has already been stayed by this Court vide interim order dated 02.02.2024. The petitioner has sought permission to visit his extended family in Canada for a limited period on account of a new house having been built by a cousin of his. There is no denying the fact that he is a regular businessman working in India. The apprehension expressed by learned Special Judge in declining the application does not appear to be based on sound reasoning. Merely because some other accused who were allowed to visit Canada, have absconded, it cannot be a ground to believe that the petitioner will



follow suit and will not return. No other material has been brought on record to substantiate the apprehension expressed by learned Special Judge.

7. In view thereof, the petition is allowed, and the impugned order dated 02.06.2025 is set aside, and the petitioner is permitted to visit Canada any time now subject to conditions that he will return to India on or before 20.08.2025, and furnish Bank guarantee of ₹50 lakh and two sureties each of like amount to the satisfaction of the trial Court/Duty Magistrate, who will be at liberty to impose any other reasonable condition as deemed appropriate. Upon the petitioner’s return to India, and after appearance before trial Court, the surety bond(s) and Bank guarantee shall be discharged/released. In case he does not comply with the conditions imposed by this Court, the Bank guarantee and surety bond(s) shall stand forfeited without any notice to him and the same shall vest with the State, and appropriate coercive measures to secure his presence shall follow.

(TRIBHUVAN DAHIYA)
JUDGE

29.07.2025
Payal

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No