



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

107-VI

**CRM-M-27779-2026 (O&M)
Date of Decision:- 19.05.2026**

Sarvesh Kumar Singh ... Petitioner
Versus
State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Gaurav Chopra, Senior Advocate with
Mr. Ajiteshwar Singh, Advocate and
Ms. Darika Sikka, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 assailing the order dated 08.05.2026 (Annexure P-1) passed by learned Judicial magistrate 1st Class, Bathinda, and seeks directions to enforce the Petitioner's right to travel abroad.

Learned Senior counsel for the petitioner contended that earlier vide order dated 04.02.2026 passed by this Court in CRM-M-6431-2026, concession of interim anticipatory bail was granted to the petitioner in case bearing FIR No. 250 dated 04.11.2026 under Section 420 IPC, at Police Station Sadar, District Bathinda. Later, vide order dated 20.02.2026 of this Court, the interim order dated 04.02.2026 was clarified to the effect that pendency of the said petition for anticipatory bail would not preclude the petitioner from travelling abroad, particularly keeping in view the nature of



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his employment, which required frequent international travel. This Court had accordingly permitted the petitioner to travel abroad, while leaving it open to the learned Illaqa/Duty Magistrate to impose appropriate conditions to secure his presence during investigation/trial. Pursuant thereto, the petitioner was permitted by the learned Trial Court vide order dated 23.02.2026 (Annexure P-14) to travel to UAE from 25.02.2026 to 05.03.2026. Upon his return, the petitioner duly redeposited his passport before the learned Trial Court, as recorded in order dated 09.03.2026 (Annexure P-15).

Learned Senior Counsel for the petitioner further submitted that thereafter the petitioner again sought permission to travel abroad, owing to professional commitments, as follows:

- i. From 04.04.2026 to 15.04.2026 – Serbia, for project review meetings and site visit;
- ii. From 25.04.2026 to 02.05.2026 – Iraq, for project site visit and review meeting, subject to dependent upon the Iran – Israel hostilities.
- iii. From 18.05.2026 to 27.05.2026 – Mexico and USA; and
- iv. From 20.06.2026 to 27.06.2026 – Germany, Spain and Serbia

Learned Senior Counsel submitted that learned Trial Court vide order dated 01.04.2026 (Annexure P-16) granted permission to the petitioner to travel abroad – but only qua Serbia. In respect of other dates of travel, learned Trial Court in paragraph 6 of its order opined that petitioner should prefer separate applications seeking permission for each visit/trip.

Qua the trip to Serbia, qua which permission was granted vide order dated 01.04.2026, learned senior counsel submitted that due to the



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ongoing hostilities between Iran and Iraq, the petitioner could not travel to Serbia. Thereafter, the petitioner preferred another application on 30.04.2026 (Annexure P-17) seeking permission to travel abroad for the following schedule:

- i. From 02.05.2026 to 10.05.2026 – Serbia and Iraq for project review and site visit, Iraq visit being dependent upon the middle east situation.
- ii. From 15.05.2026 to 21.05.2026 – Angola for project site visit.
- iii. 03.06.2026 to 07.06.2026 – China for attending conference from 03.06.2026 to 06.06.2026, and it was specifically stated that Chinese visa requires 10-15 days for processing, and as such the petitioner would require his passport immediately for the said purpose, after his return from Angola.
- iv. From 20.06.2026 to 27.06.2026 – Germany, Spain and Serbia for project meetings

Learned Senior Counsel submitted that although the aforesaid application had been filed on 30.04.2026 and registered on 01.05.2026, the same came to be decided only vide the impugned order dated 08.05.2026, thereby leaving virtually no effective time available to undertake the proposed visit. It was submitted that vide the impugned order, the learned Trial Court again granted permission only qua travel to Serbia from 04.04.2026 to 14.04.2026, despite the said dates having already elapsed, rendering the permission wholly infructuous. As regards the remaining business visits, the petitioner was again directed to file separate applications for each trip.



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Learned Senior Counsel contended that the petitioner's right to travel abroad cannot be rendered illusory by belated consideration of applications and impracticable orders, insisting upon repetitive applications for each individual visit, particularly when the petitioner has previously complied with all conditions imposed upon him and is not involved in any other criminal case.

Learned Senior Counsel further submitted that due to efflux of time, the petitioner was now left with following business trips:

- i. From 15.05.2026 to 21.05.2026 – Angola for project site visit.
- ii. From 03.06.2026 to 07.06.2026 – China for attending conference from 03.06.2026 to 06.06.2026, and it was specifically stated that Chinese visa requires 10-15 days for processing, and as such the petitioner would require his passport immediately for the said purpose, after his return from Angola.
- iii. From 20.06.2026 to 27.06.2026 – Germany, Spain and Serbia for project meetings

Learned Senior Counsel further argued that in view of the short intervals between the aforesaid visits, it would not be practicable for the petitioner to deposit his passport after returning from every trip, and thereafter move fresh applications seeking permission for every trip. It was emphasized that the petitioner is not involved in any other criminal case and has, on earlier occasions, duly complied with all conditions imposed by the Court by returning to India within the permitted period and redepositing his passport. Accordingly, prayer was made for setting aside/modification of the impugned order dated 08.05.2026 (Annexure P-1) passed by the learned



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Judicial Magistrate First Class, Bathinda, and for issuance of appropriate directions safeguarding the petitioner's right to travel abroad.

Status report dated 18.05.2026 by way of an affidavit of Harvinder Singh Sra, PPS, Deputy Superintendent of Police, Bathinda, has been filed by learned State counsel and the same is taken on record.

Ms. Sunint Kaur, Advocate along with Mr. Shubham Pathania, Advocate, has put in appearance on behalf of respondent No.2 and has filed memorandum of appearance, which is taken on record.

Keeping in view facts and circumstances of the present case, the nature of employment of the petitioner which requires him to travel abroad frequently, that the petitioner has earlier complied with the conditions imposed while travelling abroad; and also considering that the allegations in the FIR primarily arise out of a dispute bearing predominantly civil overtones, this Court in the peculiar circumstances of this case, deems it fit to allow the petitioner to visit abroad for professional purposes qua the following trips as prayed for.

Accordingly, the petitioner is permitted to travel abroad for the following visits:

- i. From 15.05.2026 to 21.05.2026 – Angola for project site visit.
- ii. From 03.06.2026 to 07.06.2026 – China for attending conference from 03.06.2026 to 06.06.2026, and it was specifically stated that Chinese visa requires 10-15 days for processing, and as such the petitioner would require his passport immediately for the said purpose, after his return from Angola.



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- iii. From 20.06.2026 to 27.06.2026 – Germany, Spain and Serbia for project meetings

It shall, however, be open to the learned Trial Court/Illaq Magistrate/Duty Magistrate to impose such reasonable conditions as may be deemed necessary for securing the petitioner’s presence during investigation/trial.

It is further directed that, in future, whenever the petitioner intends to travel abroad during the pendency of investigation/trial, he shall furnish complete particulars regarding the proposed visit, including itinerary, duration of stay, contact details and such other information as may be required to the learned Trial Court/Illaq Magistrate/Duty Magistrate, and during pendency of investigation, also to the Investigating Agency.

Such information may be furnished by the petitioner in form of an affidavit, through his Counsel to the Trial Court or Illaq/Duty Magistrate, as well as to the investigation agency during pendency of the investigation.

Disposed of accordingly.

A copy of this order be supplied to the counsel for the petitioner under signatures of Bench Secretary of this Court.

19.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No