



CRM-M-62785-2025

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

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**CRM-M-62785-2025
Decided on :10.02.2026**

Ajit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. P.S. Dhaliwal, Advocate for the petitioner.

SANJAY VASHISTH, J. (Oral)

1. By way of the present petition filed under Section 482 of the BNSS, the petitioner seeks quashing of the order dated 28.10.2025 passed by the learned JMIC, S.A.S. Nagar, Mohali (Annexure P-7), whereby the learned Judicial Magistrate First Class rejected the petitioner's application for release of his passport and for permission to travel abroad in FIR No. 18 dated 13.12.2017, registered under Sections 406, 420 and 120-B IPC at Police Station NRI, District S.A.S. Nagar, Mohali (Annexure P-1).

2. Petitioner, being an accused in the aforementioned case, had applied for grant of anticipatory bail before this Court by filing petition CRM-M-36014-2025. Vide order dated 25.09.2025 (Annexure P-6), the

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petitioner was directed to be released on bail in the event of his arrest. In compliance with the condition imposed by this Court in the earlier part of the order dated 10.07.2025, petitioner deposited his passport with the Investigating Agency, which is presently lying with the learned trial Court. Petitioner undertakes to abide by any further condition that may be imposed by this Hon'ble Court.

3. Learned counsel for the petitioner contends that petitioner owns immovable property in Canada, which he has now been permitted to sell pursuant to an order passed by the Hon'ble Supreme Court of British Columbia. For the said purpose, petitioner has been called by his realtors to personally execute the sale documents.

Referring to the impugned order dated 28.10.2025, Mr. P.S. Dhaliwal, Advocate, submits that all requisite documents in support of the said submission were duly placed before the learned trial Court; however, despite the same, permission for release of the passport and for travelling abroad was declined.

4. Learned counsel for the petitioner further submits that as per the allegations, defrauded amount involved in the present case is approximately ₹42 lakhs and, in order to satisfy the conscience of the Court, petitioner is ready and willing to furnish security of a reasonable amount, subject to the satisfaction of concerned Court.

5. Learned State counsel has filed a status report by way of an affidavit of Lakhwinder Singh, PPS, Deputy Superintendent of Police, NRI Wing, District S.A.S. Nagar, which is taken on record. Registry is

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directed to tag the same at the appropriate place in the paper-book.

Reference is made to paragraph No. 11 thereof, which states that at the first instance the Investigating Agency had submitted a cancellation report; however, the matter is presently at the stage of reinvestigation pursuant to orders passed by the learned Magistrate.

6. From the documents placed on record by the petitioner before the learned trial Court, as also referred to in the impugned order, it appears that the petitioner owns property in Canada. Relevant documents, including the order of the Supreme Court of British Columbia and the request made by the realtors for execution of the sale documents, have also been placed on record.

7. From the factual aspects narrated in the present petition and the material placed before the learned trial Court, prima facie, there is nothing to suggest that upon being granted permission to travel abroad, the petitioner is likely to abscond or evade the process of law.

8. Considering the circumstances in their entirety, as mentioned in the present petition and reflected in the impugned order dated 28.10.2025, this Court deems it appropriate to allow the present petition. Accordingly, the learned trial Court is directed to release the petitioner's passport and permit him to visit Canada for the period from 20.02.2026 to 20.05.2026, subject to the following conditions:

9. Conditions for Release of Passport and Permission to Travel Abroad as under:



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- i) Release of the petitioner's passport and permission to travel abroad shall be subject to the petitioner furnishing a **bank guarantee or FDR equivalent to 50% of the disputed amount**, or in the alternative, original title deed of some immovable property **belonging to the petitioner valued atleast ₹50 lakhs**, in the petitioner's own name be submitting before the learned Trial Court.
- ii) The petitioner shall file an **affidavit of undertaking** before the learned Trial Court stating that he shall:
- Return to India on or before **25.05.2026**;
 - Appear before the learned Trial Court as and when directed; and
 - Not misuse the liberty granted by this Court.
- iii) Prior to departure, the petitioner shall provide the **complete travel itinerary, address of stay in Canada, and his active mobile number and email address** to the Investigating Officer as well as to the learned Trial Court.
- iv) Permission to travel abroad shall remain valid **strictly for the period from 20.02.2026 to 20.05.2026**. No extension shall be sought except with the **prior permission of this Court**.
- v) Petitioner shall **not seek any adjournment** before the learned Trial Court on the ground of his stay abroad during the permitted period.
- vi) Petitioner shall **re-deposit his passport** with the learned Trial Court/Investigating Agency **within 48 hours of his return to India**, and shall also **intimate the Investigating Officer and the learned Trial Court in writing** about his return.



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vii) In the event of violation of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail and forfeiture of the security furnished by the petitioner, in accordance with law.

10. Petition is disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

10.02.2026

Rashmi

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