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% 16.06.2010

Present: Mr. K.T.S.Tulsi, Sr. Advocate with Mr. Raj Kamal, Advocate
Mr. Sanjay Lau, APP for the State with Mr. Jaman Singh, SI

+ CrI.M.A.No. 8024/2010 (exemption)

Allowed subject to all just exceptions.

+ CrI. Misc. Mo. 2069/2010 & CrI.M.A.No. 8023/2010

This petition has been made by the petitioners seeking permission to go abroad since similar request made by the petitioners to the learned MM has been rejected. The petitioners are facing trial under Section 498A & 406 IPC and are father-in-law and mother-in-law of the complainant, who lodged complaint against the petitioners and other relatives.

The petitioners shall furnish a security of Rs.10 lac each to the satisfaction of the Court of MM and on furnishing of security they shall be at liberty to go abroad. However, the petitioners shall ensure that the trial before the trial Court does not get impeded and in case, because of petitioners the trial gets impeded the trial Court shall be at liberty to forfeit the security amount deposited.

LOC, if any, issued by the trial Court in respect of the applicants/petitioners shall remain suspended till the petitioners come back from abroad.

With this, the petition stands disposed of.

Dasti.


SHIV NARAYAN DHINGRA
[VACATION JUDGE]

JUNE 16, 2010

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IN THE HIGH COURT OF DELHI AT NEW DELHI

+Crl. M.A. No. 8059/2010 in Crl. M.C. 2069/2010

HARBHAJAN SINGH CHOPRA AND ORS.

..... Petitioner

Through : Mr. K.T.S. Tulsi, Sr. Adv. with Mr. Raj
Kumar, Adv for the petitioner.

Versus

STATE OF NCT OF DELHI

..... Respondent

Through : Mr. Sanjay Law, Additional PP.
Mr. Viraj R. Datar, Adv. for the applicant.

**CORAM:
JUSTICE SHIV NARAYAN DHINGRA**

ORDER

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18.06.2010

This application has been made by the applicant for modification / recalling of the order dated 16th June, 2010 whereby this court granted permission to the applicant to go abroad on furnishing security of Rs. 10 lac each to the satisfaction of the Court of MM.

It is submitted by the applicant, who is complainant in case u/s 498A/406 of IPC that the petitioners are British citizens and the other co accused, i.e. sons of the petitioners are also a British citizen. One son had gone abroad with the permission of the court and thereafter did not return and one did not submit to the jurisdiction of the Court. It is further intimated that the petitioners were also facing two more criminal cases of cheating. At the time when the bail was obtained in other cases, the Courts were likely to put condition that petitioners would not leave the country. it was told by the petitioners that their passports have already been deposited by them in the present case and therefore the other Courts did not put condition of not leaving the country. The other cases are stated to be against the accused persons in Haryana and UP. It is also submitted that accused persons stand so far had been that

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they have no property in India and all their properties were situated in England. The accused were having British passport.

The counsel for the accused Mr. K.T.S. Tulsi submits that accused father in law was having property in Jalandhar and he can place on record documents of title,

I consider that since the accused is involved in three cases, one regarding matrimonial offence and two other cases regarding cheating, the present permission is applicable only in this case. It is directed that accused shall seek permission from the other two courts also before leaving India and if the other two courts have no objection then only the accused shall leave the country. The passport of the accused lying with the Court in Delhi shall be returned to the accused only on producing permission from the other two courts. The title deed of Jalandhar property which the accused is showing to the court be submitted to the IO of this case, who shall verify about the correctness of the title deed and these title deeds shall be deposited with the Trial Court after verification as additional security.

The application stands disposed of.

Dasti.

JUNE 18, 2010
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SHIV NARAYAN DHINGRA
[VACATION JUDGE]