



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

Sr. No.205

CRM-M-19297-2025

Date of Decision: 07.05.2025

Yogender Pal Walia

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Rajat Malhotra, Advocate, for the petitioner.
(through video conferencing)

Mr. Mohit Kapoor, Senior Deputy Advocate General, Punjab.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed seeking permission to travel to Canada for a period of six months starting from June 2025, since the petitioner has been nominated as one of the accused in FIR No.10 dated 17.08.2017, registered under Sections 406, 409, 420, 467, 468, 471, 477-A, 120-B of IPC, and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988, at Police Station Vigilance Bureau, Flying Squad-1, District Mohali.

2. The permission has been sought on the ground that the petitioner's daughter-in-law is expecting her first child and the delivery is due on 13.06.2025. He is sixty-three years old and wishes to be with his family to welcome the next generation. The medical record of his daughter-in-law establishing the fact has been appended to the petition as Annexure P-2. Besides, he has recently been diagnosed with tongue cancer and wants to explore options for treatment in Canada. His medical report has also been appended to the petition as Annexure P-3.



3. Learned counsel representing the petitioner has contended that the petitioner was granted pre-arrest bail by the Special Court, S.A.S. Nagar, Mohali, vide order dated 02.11.2018, Annexure P-1. He fully cooperated with investigation of the case, and has been regularly appearing before the trial Court on each date of hearing for the last more than five years. On two earlier occasions also, he was permitted to travel to Canada by this Court vide orders dated 29.07.2020 and 15.07.2024, Annexures P-4 and P-5, respectively. On both the occasions he returned to India within the stipulated time and his surety bonds were discharged. He undertakes to comply with any condition imposed by this Court, and return within the permitted time.

4. Learned State counsel has filed reply by way of affidavit of Deputy Superintendent of Police, Vigilance Bureau, Flying Squad-I, Mohali, dated 07.05.2025, which is taken on record. He opposes the prayer on the ground that the petitioner is involved in a serious case, and in case he is permitted to travel abroad, he would not return. It is, however, not disputed that on earlier two occasions he was permitted to go to Canada by this Court, and in compliance with the condition(s) returned within the stipulated time.

5. Heard.

6. Considering the facts and circumstances of the case, as also the fact that the petitioner was permitted to travel to Canada twice earlier and returned here as stipulated, it is deemed appropriate to permit him to travel to Canada again for a period of six months starting from June 2025, with a direction to return to India on or before 30.11.2025, subject to furnishing adequate surety and bank guarantee of ₹35 lakh 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, the surety bond(s)/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.

7. Petition stands allowed in the aforesaid terms.

(TRIBHUVAN DAHIYA)
JUDGE

07.05.2025
Maninder

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