

IA 13/25 SC 378/18
FIR 64/18
PS Special Cell
State Vs. ASHISH SHARMA AND ORS.

09.09.2025

Present: Dr. Satish Shukla, Ld. Addl. PP for the State.
Ms. Sushma Sharma, Ld. counsel for accused
Harvider Singh alongwith accused.
IO Insp. Anuj Kumar Tyagi in person.

IO has filed the reply/verification report. Same is taken on record.

Vide my separate order of even date, the present application is allowed and disposed off accordingly.

Copy of the order be given *dasti*.

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N Delhi
09.09.2025

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1. Vide the present order, I shall decide the application moved on behalf of the applicant/accused Harvinder Singh @ Balli, seeking permission to travel abroad from 10.09.2025 to 10.03.2026.
2. The reply to the present application was filed by IO. Same has been perused carefully.
3. It is submitted by Ld. Counsel for applicant/accused that the applicant/accused was granted regular bail by the Ld. Predecessor of this Court vide order dated 17.02.2024. The applicant/accused was granted the permission to travel abroad to UK for a period of 03 months by the Hon'ble High Court of Delhi vide order dated 03.03.2025 and the passport of the applicant/accused was released to him, to facilitate the said travel. The applicant/accused duly complied with all the conditions imposed upon him and had duly returned back to India and deposited the passport with this Court.

4. It is submitted by Ld. Counsel for applicant/accused that the applicant/accused wishes to travel to United Kingdom, to attend to his ailing father, who is scheduled to undergo an eye surgery on 27.09.2025. Prior to that he had to attend the event at Stockholm, Sweden on 14.09.2025 and the applicant/accused needs to supply the logistics from UK to Sweden for the said event through one company 'Golden Path Trading'. Lastly, he has to attend 'Canton Fair' in China from 31.10.2025 to 04.11.2025.

5. It is submitted by Ld. Counsel for applicant/accused that the applicant/accused has been granted permission to travel abroad on earlier occasion and he never misused the liberty granted to him and he has always returned back to India on time. The applicant/accused has furnished personal surety to the tune of Rs. 60,00,000/- for the purpose of traveling abroad and two surety bonds of Rs. 20 lakh each and also deposited the original title deeds of his relatives, pertaining to the immovable property in Delhi, having value of over Rs. 50 lakhs each. All the said sureties were deposited in the form of auto renewal FDRs in the name of the worthy Registrar General, Hon'ble High Court of Delhi and same are still in currency. Furthermore, the title deeds of the immovable property is also on record.

Therefore, the applicant/accused is not a flight risk and he is ready to abide with any condition that this court may impose upon him.

6. It is submitted by Ld. Addl. PP for State that the present application is strongly opposed, since the applicant/accused is a British National and he may not return back to India and abscond. The applicant/accused is involved in commission of grave offences punishable under the provisions of NDPS Act. Therefore, the present application strongly opposed.

7. Considering the facts and circumstances of the case, since the documents have been duly verified and the applicant/accused has been granted permission to travel abroad by the Hon'ble High Court of Delhi on earlier occasion and he has never misused the liberty granted to him, therefore, the apprehension of him being a flight risk is not made out. The applicant/accused is traveling to attend to his father, who is supposed to undergo a surgery and he has to attend the events in Sweden and China, therefore, applicant/accused is allowed to travel to UK, Sweden and China subject to following conditions:-

i) accused/applicant shall submit all the self attested copies of the travel documents viz. Visa, air tickets, etc. relating to his journey with the court and the IO.

ii) accused/applicant shall submit his itinerary containing his full address of stay, contact number, email ID for the same period as well as to the concerned IO, if not already done.

iii) accused/applicant shall submit an undertaking by way of an affidavit that he will not extend his stay and that he shall return to India within the time limit as specified above. Accused will also submit in the affidavit that no case is pending either Criminal or Civil against him in United Kingdom, Sweden and China.

iv) accused/applicant shall furnish personal security to the tune of Rs 60 lakhs. Furthermore, he shall also furnish two sureties in sum of Rs. 20 lakh each and two unencumbered titled deeds of immovable properties, as a security and the said immovable properties must be owned by his relatives. Since, the earlier given sureties in the form of FDR are still valid, the same shall suffice for the present occasion as well, however, fresh bonds and undertaking shall be filed by the applicant and the sureties.

v) accused/applicant shall not raise any dispute as to his identity, if it so arises during the period of his journey and that his counsel duly authorized shall represent him during the said period before this court.

vi) The passport of the accused shall be released to him and he shall re-deposit the same after returning back to India.

vii) Ld counsel for accused submitted that if accused fails to return from his foreign travel, FDRs as well as the immovable properties would stand forfeited to the State.

viii) accused will not open any bank account outside India and if accused opens any bank account outside India, then to file details of the same in the court by way of an affidavit.

8. Since, the event at Stockholm is scheduled for 14.09.2025; the eye surgery of the father of the applicant/accused is scheduled for 27.09.2025 and the 'Canton Fair' at China is schedule for 31.10.2025 to 04.11.2025, therefore, the applicant/accused is allowed to travel to the aforementioned countries from 10.09.2025 to 10.11.2025, subject to the conditions imposed in the present order.

9. The IO shall communicate the present order to Bureau of Immigration and FRRO. In case and LOC is opened against the applicant/accused, the same shall remains suspended during the period of his travel.

10. Application is disposed of accordingly.

11. Copy of the order be given dasti as prayed for.

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N Delhi
09.09.2025